



Braintree Town Council

ORDER NO: 17 023

DATE FILED: APRIL 20, 2017

REQUEST OF: MAYOR

UPON THE REQUEST OF HIS HONOR, THE MAYOR, THE TOWN OF BRAINTREE, THROUGH THE BRAINTREE TOWN COUNCIL, IT IS SO ORDERED:

That the Town Council vote to authorize the Mayor to petition the General Court pursuant to Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts for an Act Exempting the Retirement Restrictions Set Forth in Sections 91 (a)-(c) of Chapter 32 of the Massachusetts General Laws as set forth in the petition for special legislation filed with the Town Council in April 7, 2017, and on file with the Office of the Town Clerk. Further, that the General Court be authorized to make clerical or editorial changes of form only to the bill before enactment by the General Court, and further, that the Mayor be authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

YEAS: Bowes. Clifford. Hume. Kokoros. Mullaney. O'Brien. Owens. Ryan. Powers

NAYS: NONE

ABSENT: NONE

PASSED IN COUNCIL: MAY 2, 2017

PRESENTED TO MAYOR: MAY 3, 2017

A True Record, Attest:

May 5, 2017
Date Approved

James M. Casey
James M. Casey, Town Clerk

Joseph C. Sullivan
Joseph C. Sullivan, Mayor

AN ACT EXEMPTING PAUL J. SHASTANY FROM SECTION 91 OF CHAPTER 32 OF THE GENERAL LAWS

Voted, to petition the General Court to the end that legislation be adopted precisely as follows. The General Court may make clerical or editorial changes of form only to the bill, unless the Mayor approves amendments to the bill before enactment by the General Court. The Mayor is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this 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 the limitations set forth in sections 91(a)-(c) of Chapter 32 of the General Laws, the Mayor of the city known as the Town of Braintree may, as the appointing authority, appoint Paul J. Shastany, a retired police chief of the police department of the town of Stoughton, as the police chief for the Town of Braintree pursuant to section 97A of Chapter 41 of the General Laws.

SECTION 2. The appointment of Paul J. Shastany is necessary due to the unique and extenuating circumstances at the Braintree Police Department that gave rise to Paul J. Shastany's appointment as police chief and necessitates the continuance of his services.

SECTION 3. Upon appointment by the Mayor as the police chief of the city known as the Town of Braintree, Paul J. Shastany shall not be subject to Sections 91(a)-(c) of Chapter 32 of the General Laws relative to the number of hours he shall be authorized to work and the maximum salary he shall be paid.

SECTION 4. Paul J. Shastany shall not be deemed to have resumed active membership in any Massachusetts retirement system and said service shall not be counted as creditable service toward retirement. No further deductions shall be made from his regular compensation under chapter 32 of the General Laws for service during the term of his appointment. Paul J. Shastany shall not have his Stoughton retirement allowance and/or benefits subject to modification as a result of earnings from this appointment.

SECTION 5. Paul J. Shastany shall be subject to sections 100 and 111F of chapter 41 of the General Laws. Any payments under said section 111F of said Chapter 41 shall terminate in accordance with said section 111F or at the conclusion of the employment term, whichever occurs sooner. Paul J. Shastany shall not be subject to sections 85H or 85H ½ of said chapter 32 of the General Laws and shall not be eligible for any benefits pursuant to said sections 85H or 85H ½ of said Chapter 32. Paul J. Shastany shall be subject to Chapter 415 of the Acts of 1987.

SECTION 6. Paul J. Shastany shall not be subject to chapter 31, section 99A of chapter 41, chapter 150E or chapter 151A of the General Laws.

SECTION 7. This act shall take effect upon its passage.

Acts (2017)

Chapter 42

AN ACT AUTHORIZING THE CITY KNOWN AS THE TOWN OF BRAINTREE TO CONTINUE THE EMPLOYMENT OF PAUL J. SHASTANY AS CHIEF OF POLICE

*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 paragraphs (a) to (c), inclusive, of section 91 of chapter 32 of the General Laws, Paul J. Shastany may serve as chief of police for the city known as the town of Braintree pursuant to section 97A of chapter 41 of the General Laws and shall not be subject to the limitations on hours worked or to the earnings restrictions provided in paragraph (b) of said section 91 of said chapter 32.

SECTION 2. Paul J. Shastany shall not be deemed to have resumed active membership in a retirement system in the commonwealth and his service as chief of police for the city known as the town of Braintree shall not be counted as creditable service toward retirement. No deductions shall be

made from the regular compensation of Paul J. Shastany pursuant to chapter 32 of the General Laws while he is employed as chief of police for the city known as the town of Braintree in accordance with all applicable laws. Paul J. Shastany shall not have his retirement allowance subject to modification as a result of earnings from his appointment as chief of police for the city known as the town of Braintree.

SECTION 3. Paul J. Shastany shall be subject to sections 100 and 111F of chapter 41 of the General Laws. Payments made pursuant to said section 111F of said chapter 41 shall terminate in accordance with said section 111F of said chapter 41 or at the conclusion of his employment as chief of police for the city known as the town of Braintree, whichever occurs sooner. Paul J. Shastany shall not be subject to sections 85H or 85H½ of chapter 32 of the General Laws and shall not be eligible for any benefits pursuant to said sections 85H or 85H½ of said chapter 32. Paul J. Shastany shall be subject to chapter 415 of the acts of 1987.

SECTION 4. Paul J. Shastany shall not be subject to chapter 31, section 99A of chapter 41 or chapter 150E of the General Laws.

SECTION 5. This act shall take effect upon its passage.

Approved, July 17, 2017