

Executive session motion from Open Session

In Open Session,

Motion was made by Chaz Sexton-Diranian and seconded by Joe Shank to go into Executive Session pursuant to GL c. 30A, s 21 (a)(2) to conduct strategy sessions in preparation for negotiations with non union personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel - Fire Chief,

and

To enter into Executive Session pursuant to GL c. 30A, s 21(a)(1) to discuss the reputation, character, physical condition, or mental health of an individual, or discuss the discipline or dismissal of, physical condition, or mental health of an individual, or discuss the discipline or dismissal of, or complaint or charges against, a public officer, employee, staff member or individual,

and

to adjourn in Executive Session.

Motion passed with all in favor to go into Executive Session.

RECEIVED
APR 29 2022

TOWN OF TOWNSEND
TOWN CLERK

Executive Session entered at 5:07 p.m.

In attendance in Executive Session: Ross Perry, Interim Town Administrator, Veronica Kell and Chaz Sexton-Diranian, Selectmen, and Joe Shank, Selectman - remotely and Kate Feoderoff, Town Labor Counsel - remotely,.

Letter of resignation sent to the Town by Mark Boynton and read into the record by Kate Feoderoff (attached).

Discussion: Town accepts the resignation of Mark Boynton, pays him per the severance clause in his contract and requests that he sign a release.

Motion was made by Chaz Sexton-Diranian and seconded by Joe Shank to agree to pay Mark Boynton seven (7) weeks of severance per contract provisions and the balance of accrued vacation and to execute a full release of liability without a non-disparagement clause and without a confidentiality clause (both left silent in agreement).

Roll call vote: Chaz Sexton-Diranian - yes; Joe Shank - yes; Veronica Kell - yes.

Motion was made by Chaz Sexton-Diranian and seconded by Joe Shank that in the event that an agreement has not been reached, we authorize an intent to terminate letter be sent on our behalf by Ross Perry to Mark Boynton with a hearing held on February 14, 2022.

Roll call vote: Chaz Sexton-Diranian - yes; Joe Shank - yes; Veronica Kell - yes

Adjourn

Motion was made by Chaz Sexton-Diranian and seconded by Joe Shank to adjourn from Executive Session at 5:44 p.m.

Mark R. Boynton – 27 Pinewood Drive Amherst NH

February 4, 2022

Ross Perry, Interim Town Administrator
Townsend Town Hall
272 Main Street
Townsend, MA 01469

Re: Letter of Resignation

Dear Ross:

Kindly inform the Board of Selectmen that I hereby resign my position as Fire Chief for the Town of Townsend.

Without retracing the entire history of the unfair and discriminatory treatment I have received at the hands of the Board, I must make it clear that this is being done under the greatest amount of duress. Nothing herein should be construed as a waiver of my rights, especially those under the federal and state Family and Medical Leave Acts. However, as the Board has persisted in its harassing and punitive conduct, I want to leave under conditions where the Board will not have the opportunity to fabricate any basis for not paying me the severance amount called for in my employment contract. That, amounts to 3 remaining weeks of vacation and seven weeks of severance totaling 10 weeks of pay. If your calculations differ, kindly so inform me immediately when sending me whatever amount you feel is owed. In any event, as you know, failure to pay for accrued vacation upon separation may result in treble damages liability and enforcement by the Attorney General's Office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark R. Boynton', with a long horizontal flourish extending to the right.

Mark Boynton

CC: Atty. John M. Collins