

HOUSE No. 2435

The Commonwealth of Massachusetts

PRESENTED BY:

John Barrett, III and Paul W. Mark

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act authorizing the town of Lanesborough to continue the employment of Daniel Bologna, Charles Garrity, Peter Pannesco, Peter Oakley, David Rolle, Donald Whalen and Michael Wooliver.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>John Barrett, III</i>	<i>1st Berkshire</i>	<i>1/20/2023</i>
<i>Paul W. Mark</i>	<i>Berkshire, Hampden, Franklin and Hampshire</i>	<i>1/20/2023</i>

HOUSE No. 2435

By Representative Barrett of North Adams and Senator Mark, a joint petition (accompanied by bill, House, No. 2435) of John Barrett, III and Paul W. Mark (by vote of the town) relative to authorizing the town of Lanesborough to continue the employment of firefighters Daniel Bologna, Charles Garrity, Peter Pannesco, Peter Oakley, David Rolle, Donald Whalen and Michael Wooliver. Public Service. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act authorizing the town of Lanesborough to continue the employment of Daniel Bologna, Charles Garrity, Peter Pannesco, Peter Oakley, David Rolle, Donald Whalen and Michael Wooliver.

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

1 SECTION 1. Notwithstanding any general or special law to the contrary, town of
2 Lanesborough firefighters Daniel Bologna, Charles Garrity, Peter Oakley, Peter Pannesco,
3 David Rolle, Donald Whalen, and Michael Wooliver may continue in such position until the age
4 of 70; provided, however, that they are mentally and physically capable of performing the duties
5 of such position. The Select Board may, at the expense of the fire chief, require them to be
6 examined by an impartial physician designated by the Select Board to determine such capability.
7 The firefighters' employment shall continue until they reach the age of 70, or their non-
8 reappointment or termination, whichever occurs first, provided that they are mentally and
9 physically capable of performing the duties of the office.

10 SECTION 2. No further deductions shall be made from the regular compensation of fire
11 fighters Daniel Bologna, Charles Garrity, Peter Oakely, Peter Pannesco, David Rolle, Donald
12 Whalen, and Michael Wooliver under chapter 32 of the General Laws for any service performed
13 subsequent to reaching age 65. Upon the retirement from the office of firefighter Daniel
14 Bologna, Charles Garrity, Peter Oakely, Peter Pannesco, David Rolle, Donald Whalen, and
15 Michael Wooliver shall receive a superannuation retirement allowance equal to that to which
16 they would have been entitled had they retired upon reaching age 65, if any.

17 SECTION 3. The provisions of this act shall not entitle Daniel Bologna, Charles Garrity,
18 Peter Oakely, Peter Pannesco, David Rolle, Donald Whalen, and Michael Wooliver to remain in
19 service to the town of Lanesborough if otherwise removed or suspended from office in
20 accordance with applicable laws, rules, and regulations.

21 SECTION 4. This act shall take effect upon its passage.