

# TOWN OF SOUTHBOROUGH



## OFFICE OF THE TOWN CLERK

### **NOTICE OF ATTORNEY GENERAL REVIEW OF CHANGES TO SOUTHBOROUGH TOWN BY-LAWS**

**November 29, 2022**

The Attorney General has approved the following change to the town bylaws voted at the May 4, 2022, Annual Town Meeting: Article 34 Pilot Committee.

**The Attorney General disapproved and deleted these two sections of the Article as voted:**

*Engage in discussions with non-profit entities owning real property in Southborough valued in toto more than six million dollars, with the objective of establishing formal agreements through which these entities contribute reasonable annual PILOT (Payment in Lieu of Taxes) amounts to cover the Town's cost of providing services for them, their staff/employees, for their students, and for others associated with their activities in the Town.*

*#3 That if the Select Board is not able, or chooses not, to properly establish such a committee within 45 days of the Attorney General's approval of this article, another elected Town Official or elected Town Board may accept responsibility for, and organize, such Standing Committee.*

**The bylaw, as approved by the Attorney General, is attached to this notice.**

Claims of invalidity by reason of any defect in the procedure of adoption or amendment may only be made within ninety days of the posting of this notice.

Copies of the by-law as approved may be obtained and examined in the Town Clerk's office.

Pursuant to G.L. c. 40, § 32 this notice has been posted in the following places:

Town website (Town Meeting)

Mauro's Restaurant

Town House bulletin board

Southborough Library

Southborough Transfer Station

Sincerely,

James F. Hegarty

Southborough Town Clerk

Southborough Annual Town Meeting  
May 4, 2022

Article 34 passed by a majority vote. The two sections disapproved and deleted by the attorney General are indicated by strikethrough.

Article X, Chapter 9 Committees "Southborough PILOT Committee will read as follows:

#1 The Southborough PILOT Committee charge is:

- Research and examine how other towns in Massachusetts approach their local large non-profit entities in regard to financial support from those non-profit entities to pay for the tax-payer funded town services they use, and examine any formal or informal agreements such towns may have;
- Compare the funding received from non-profits throughout the state of Massachusetts to their local communities with the funding received from non-profits within Southborough;
- Examine state code regarding requirements for, and benefits of, non-profit status within Massachusetts;
- ~~Engage in discussions with non-profit entities owning real property in Southborough valued in toto more than six million dollars, with the objective of establishing formal agreements through which these entities contribute reasonable annual PILOT (Payment in Lieu of Taxes) amounts to cover the Town's cost of providing services for them, for their staff/employees, for their students, and for others associated with their activities in the Town.~~

**This section was disapproved by the Attorney General on 11/23/22.**

#2 No later than forty-five (45) days after the Attorney General's approval of this article, the Select Board will appoint members of this committee, consisting of seven (7) voting members, as follows:

- Three (3) members representing the tax-payers of Southborough, without any financial relationship with St. Mark's, Fay School or New England Center for Children;
- One (1) member of the Historic Commission, selected by the Historic Commission;
- One (1) member of the Capital Planning Committee, selected by the Capital Planning Committee;
- One (1) member of the Select Board, selected by the Select Board.
- One (1) member of the Council on Aging, selected by the Council on Aging;
- Specifically EXCLUDING ANY ex officio members.

~~#3 If that if the Select Board is not able, or chooses not, to properly establish such a committee within 45 days of the Attorney General's approval of this article, another elected Town Official or elected Town Board may accept responsibility for, and organize, such Standing Committee.~~

**This section was disapproved by the Attorney General on 11/23/22.**