

HOUSE No. 345

Bill accompanying the petition (taken from the files of last year) of George R. Barnstead and others, selectmen, for legislation to establish the office of superintendent of public works of the town of Stoneham. Towns. January 3.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Thirteen.

AN ACT

To establish the Office of Superintendent of Public Works of the Town of Stoneham.

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. The office of the commissioners of public
2 works of the town of Stoneham, as created by chapter
3 two hundred and sixty-three of the acts of the year nine-
4 teen hundred and two, is hereby abolished.

1 SECTION 2. All the powers, duties and liabilities con-
2 ferred or imposed by law on the said commissioners of
3 public works are hereby transferred to the board of
4 selectmen of the said town, except that the powers,
5 duties and liabilities of the said commissioners of public

6 works in respect to the construction, maintenance and
7 repair of streets, ways, bridges, sidewalks, monuments
8 at the termini and angles of roads, guide-posts, drains,
9 water-mains and services or any pipes and fixtures
10 through which water is supplied, and common and
11 particular sewers, are hereby transferred to the superin-
12 tendent of public works hereinafter provided for, who
13 shall exclusively have the powers, perform the duties
14 and be subject to the liabilities and penalties of select-
15 men, surveyors of highways, water commissioners and
16 sewer commissioners, with respect to the said matters.

1 SECTION 3. Upon the acceptance of this act, as here-
2 inafter provided, the selectmen of the town shall appoint
3 a superintendent of public works, who shall be a person
4 specially fitted by education, training or experience to
5 perform the work devolving upon him. In making the
6 appointment the selectmen, or a majority of them, shall
7 sign a certificate in the following form:—

CERTIFICATE OF APPOINTMENT.

8 We hereby appoint (name of appointee) to the posi-
9 tion of superintendent of public works of the town of
10 Stoneham, and certify that in our opinion he is a person
11 specially fitted by education, training or experience to
12 perform the duties of said office.

1 SECTION 4. The certificate shall be filed with the town
2 clerk, who shall thereupon forward a certified copy to
3 the civil service commission. The commission shall
4 immediately make a careful inquiry into the qualifications
5 of the nominee under such rules as they may, with the
6 consent of the governor and council, establish, and, if
7 they conclude that he is a competent person with the

8 requisite qualifications, they shall file with the town clerk
9 a certificate, signed by at least a majority of the commis-
10 sion, that they have made a careful inquiry into the
11 qualifications of the appointee, and that in their opinion
12 he is qualified by education, training or experience for
13 said office, as the case may be, and that they approve the
14 appointment. Upon the filing of this certificate the ap-
15 pointment shall become operative, subject, however, to
16 all provisions of law or rules and regulations of the said
17 town in regard to acceptance of office, oath of office and
18 the filing of bonds. If the commission does not within
19 thirty days after the receipt of the said notice file said cer-
20 tificate with the town clerk, the appointment shall be
21 void.

1 SECTION 5. The superintendent of public works shall
2 hold office for a period of three years from the date when
3 his appointment becomes operative by the filing of said
4 certificate by the civil service commission, and until his
5 successor is chosen and qualified. Thereafter there shall
6 be appointed every third year by the board of selectmen,
7 in the manner provided in sections three and four of this
8 act, a superintendent of public works, who shall hold
9 office for the same period and shall possess the qualifica-
10 tions and be subject to the confirmation provided for in
11 said sections three and four of this act, except, however,
12 that if a person holding the office is reappointed, the
13 approval of the civil service commission shall not be
14 required.

1 SECTION 6. The superintendent of public works shall
2 be sworn to the faithful and impartial performance of his
3 duties by the chairman of the board of selectmen of the
4 town, or by the town clerk or by a justice of the peace,

5 shall receive such compensation for his services as the
6 board of selectmen may determine, and shall be subject
7 to such instructions, rules and regulations as the town
8 may impose by its vote.

1 SECTION 7. The board of selectmen may remove the
2 superintendent of public works by filing a written state-
3 ment with the town clerk setting forth in detail the
4 specific reasons for his removal, a copy of which shall be
5 delivered or mailed to him, and he may make a reply in
6 writing, which, if he so requests, shall be filed with the
7 town clerk.

1 SECTION 8. Any vacancy in the office of superintend-
2 ent of public works shall be filled in the manner pro-
3 vided in sections three and four of this act, for the
4 remainder of the term vacated. Pending such appoint-
5 ment, the board of selectmen may designate a person to
6 perform the duties of the office temporarily.

1 SECTION 9. This act shall take full effect upon its
2 acceptance by a majority vote of the voters of the town
3 of Stoneham present and voting thereon at an annual or
4 special town meeting in the warrant for which the ques-
5 tion of the acceptance of the act was inserted as one of
6 the articles of business; and for the purpose of such
7 acceptance this act shall take effect upon its passage.