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finance under the direction of a finance director who shall be appointed annually by the board of selectmen.

SECTION 2. The department of finance shall have all the powers and duties presently vested in the office of treasurer/collector and the town accountant. The board of selectmen shall annually appoint a treasurer/collector who shall be under the supervision of the finance director. The finance director shall be responsible to the board of selectmen for the proper operation of the fiscal affairs of said town for which he is given responsibility under this act. The powers and duties of the finance director shall include but not be limited to the following:

(a) to supervise, direct and be responsible for the efficient administration of the functions and operations of the department of finance;

(b) to coordinate the financial officers of all town departments;

(c) to ensure that complete and full records of the financial and administrative activity of the town are maintained and to render reports to the board of selectmen, as may be required;

(d) to serve, unless otherwise voted by the board of selectmen, as the chief procurement officer of the town;

(e) to recommend to the finance committee and capital budget committee, in conjunction with other town officers an annual operating budget and capital improvement program;

(f) to keep the board of selectmen and the finance committee fully informed as to the financial condition of the town and to make recommendations to the board of selectmen as deemed necessary; and

(g) to perform such other duties as necessary or as may be assigned by vote of the board of selectmen.

SECTION 3. The incumbent serving in the office of treasurer/collector on the effective date of this act shall continue to serve in the office for the balance of the term for which he was elected. Upon the expiration of said term or a precedent vacancy the treasurer/collector shall be appointed as provided herein.

SECTION 4. The incumbent serving in the office of town accountant on the effective date of this act shall continue to serve for the balance of the term for which he was appointed or until the appointment of a finance director. Upon the appointment of the finance director the powers and duties of the town accountant shall be his responsibility.

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

Approved September 27, 1995.

Chapter 133. AN ACT ESTABLISHING A SELECTMEN AND PUBLIC WORKS PLAN FOR THE TOWN OF ROCKPORT.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 242 of the acts of 1959 is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- The selectmen of said town shall also have jurisdiction over the rental and use of town property except schools and libraries and may in their discretion delegate management of such property to any officer, board or committee they may choose.

SECTION 2. The first paragraph of section 2 of said chapter 242, as amended by section 1 of chapter 619 of the acts of 1987, is hereby further amended by adding the following clause:-

(g) Four members of the housing authority.

SECTION 3. The second paragraph of said section 2 of said chapter 242 is hereby amended by striking out the first, second and third sentences.

SECTION 4. Section 3 of said chapter 242, as most recently amended by section 2 of chapter 619 of the acts of 1987, is hereby further amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) The selectmen shall appoint a board of commissioners of public works, hereinafter called the commissioners, consisting of three persons especially qualified by education, training or experience to oversee the department of public works and to serve as highway, parks, water and sewer and cemetery commissioners, and may for cause, remove any or all such appointees. The commissioners shall serve three-year terms, staggered so that the term of one commissioner expires each year.

SECTION 5. Said section 3 of said chapter 242 is hereby further amended by striking out subsection (b), as most recently amended by said section 2 of said chapter 619, and inserting in place thereof the following subsection:-

(b) The selectmen shall appoint a zoning board of appeals, a collector and treasurer, a veterans' agent, a sealer of weights and measures, an inspector of animals, officers and registrar of voters other than a town clerk, a director of civil defense, election officers, a forest warden, a building inspector, a town accountant, a finance committee, a town attorney, members of the town police department, fire engineers, members of the board of health and all other committees, boards or officers appointed by the board of selectmen prior to the passage of this act, but not contrary to provisions elsewhere included in this act, and may in their discretion appoint an administrator or executive secretary, and may, subject to the provisions of chapter thirty-one of the General Laws where applicable, remove any and all such appointees.

SECTION 6. Said section 3 of said chapter 242 is hereby further amended by striking out subsection (d).

SECTION 7. Section 4 of said chapter 242 is hereby amended by striking out the second paragraph.

SECTION 8. The first paragraph of section 5 of said chapter 242 is hereby amended by inserting after the word "committee", the second time it appears, in line 2, the following words:- or board of commissioners of public works.

SECTION 9. The second paragraph of said section 5 of said chapter 242 is hereby further amended by striking out, in line 1, the word "selectmen" and inserting in place there-

of the following word:- commissioners.

SECTION 10. Said chapter 242 is hereby further amended by striking out section 6 and inserting in place thereof the following section:-

Section 6. Appointment of Director. - The commissioners shall appoint a director of public works, herein called the director, who shall be a person specially fitted by education, training and previous experience in a responsible position to perform the duties of his office. The director shall be appointed without regard to his political beliefs. He need not be a resident of the town when appointed, but shall be a resident of the town while serving as director should the commissioners so decide. Before entering upon the duties of his office, the director shall be sworn to the faithful and impartial performance thereof by the town clerk, or by a justice of the peace. He shall execute a bond in favor of the town for the faithful performance of his duties in such sum and with such surety or sureties as may be fixed or approved by the commissioners, the premium for said bond to be paid by the town.

SECTION 11. Section 7 of said chapter 242 is hereby amended by inserting after the word "letter", in lines 1 and 2, the following words:- approved by the commissioners.

SECTION 12. Said section 7 of said chapter 242 is hereby further amended by striking out, in line 6, the word "selectmen" and inserting in place thereof the following word:- commissioners.

SECTION 13. Section 8 of said chapter 242 is hereby amended by striking out, in line 1, the word "selectmen" and inserting in place thereof the following word:- commissioners.

SECTION 14. Section 9 of said chapter 242 is hereby amended by striking out, in line 2, the word "selectmen" and inserting in place thereof the following word:- commissioners.

SECTION 15. Section 10 of said chapter 242 is hereby amended by striking out, in lines 8, 10, 11 and 25, the word "selectmen" and inserting in place thereof, in each instance, the following word:- commissioners.

SECTION 16. Subsection (d) of said section 10 of said chapter 242 is hereby amended by striking out the first and second sentences and inserting in place thereof the following sentence:- The director shall be responsible for the maintenance and repairs of all town property except school buildings and grounds.

SECTION 17. Said section 10 of said chapter 242 is hereby further amended by striking out subsection (g) and inserting in place thereof the following subsection:-

(g) The director shall appoint, upon merit and fitness alone, and may, subject to the provisions of chapter thirty-one of the General Laws where applicable, remove for cause all employees of the department of public works, including any water and sewer superintendent, highway superintendent, park superintendent, tree and moth superintendent or cemetery superintendent and the town engineer.

SECTION 18. Section 11 of said chapter 242 is hereby amended by striking out, in lines 5 and 7, the word "selectmen" and inserting in place thereof, in each instance, the following word:- commissioners.

SECTION 19. Said chapter 242 is hereby further amended by striking out sec-

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tions 14 and 15 and inserting in place thereof the following section:-

Section 14. Estimate of Expenditures. - On or before the fifteenth day of December of each year, the commissioners shall submit to the board of selectmen a copy of their annual budget, which shall contain a careful, detailed estimate of the probable expenditures of the department of public works for the ensuing fiscal year, showing specifically the amount necessary to be provided for each office and activity, together with a statement of the expenditures for the same purposes in the two preceding years and an estimate of expenditures for the current year with the assistance of the town accountant, the commissioners shall also submit to the selectmen a statement showing all revenues received by the town from the departments' activities and the two preceding years, together with an estimate of the receipts of the current year.

SECTION 20. Sections eighteen and nineteen of said chapter two hundred and forty-two are hereby repealed.

Approved September 27, 1995.

Chapter 134. AN ACT RELATIVE TO BOND AUTHORIZATIONS TO MEET CERTAIN CAPITAL EMERGENCIES OF THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for emergency capital repairs and certain emergency acquisitions, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. To provide for a capital outlay program for certain equipment purchases, the sum set forth in section two is hereby made available from the General Capital Projects Fund, subject to the provisions of law regulating the disbursement of public funds.

SECTION 2.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Department of Revenue.

1295-8968 For the acquisition and upgrading of information and collection systems within the tax administration division of the department of revenue, including the purchase of hardware, software, telecommunications equipment and related design, development and implementation services; provided, that the costs of personnel shall not be charged to this item \$4,000,000

SECTION 3. To meet the expenditures necessary in carrying out the provisions of section two, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth to an amount specified by the governor from time to time, not exceeding,