

HOUSE No. 424

Bill accompanying the petition of W. H. Edwards and others for legislation to authorize the town of Easthampton to establish a board of public works. Towns. January 12.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Eleven.

AN ACT

To authorize the Town of Easthampton to establish a Board of Public Works.

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 town of Easthampton shall, at its next
2 annual meeting after the acceptance of this act, elect by
3 ballot a board of public works, consisting of three mem-
4 bers.

1 SECTION 2. At the meeting at which this act is ac-
2 cepted, or at a meeting held at least fourteen days before
3 ballot a board of public works consisting of three mem-
4 tive, the town shall vote to elect the members of said
5 board of public works either annually for the term of one
6 year, or one for the term of one year, one for the term of

7 two years, one for the term of three years, and annually
8 thereafter one for the term of three years.

1 SECTION 3. The provisions of statute law relating to
2 the oath of office, entering upon the performance of du-
3 ties, tenure of office, change in the term of office, failure
4 in election, and vacancies in the office of selectmen are
5 hereby made applicable to the members of said board of
6 public works, and they shall receive such compensation
7 for their services as the town may determine.

1 SECTION 4. Upon the election of said board of public
2 works all the powers, rights, duties and liabilities of the
3 boards of water commissioners and sewer commissioners
4 and the highway surveyor in said town shall be trans-
5 ferred to the board of public works created by this act,
6 and the boards of water commissioners and sewer com-
7 missioners and the office of highway surveyor shall be
8 abolished. No existing contracts or liabilities shall be
9 affected hereby, but the board hereby created shall in all
10 respects, and for all purposes whatsoever, be the lawful
11 successors of said boards of water commissioners and
12 sewer commissioners and the highway surveyor.

1 SECTION 5. Upon the election of said board of public
2 works all the powers, rights, duties and liabilities of the
3 selectmen in said town now existing or hereafter created
4 by law, relating to highways, town ways, the laying out
5 and discontinuance of ways, bridges, sidewalks, guide
6 posts, monuments at the termini and angles of roads, pub-
7 lic squares, playgrounds, shade trees, sewers, drains,
8 street watering, street lighting, the assessment of dam-
9 ages and betterments, water pipes, gas pipes, conduits,
10 poles, wires, street railways, the granting of locations,
11 rights or licenses for structures upon private land, or

12 upon, under or over highways or other ways, shall be exer-
13 cised, enjoyed, performed and incurred by a board con-
14 sisting of the selectmen, the board of public works created
15 by this act, and the chairman of the board of assessors,
16 ex-officio, sitting jointly as the board of survey.

1 SECTION 6. Said board of public works shall annually,
2 in the month of March, appoint a competent civil engi-
3 neer, who shall perform such duties as may be required
4 of him by said board of the town. He shall hold office
5 at the pleasure of said board and the said board shall
6 fix his compensation, which shall be subject to alteration
7 by the town. The said board of public works shall have
8 authority to appoint such superintendents and subordi-
9 nate officers as it shall deem necessary, and to establish
10 their terms of office. No member of the board of public
11 works shall be eligible for appointment as such superin-
12 tendent. The said board of public works shall, subject to
13 alteration by the town, have authority to fix the compen-
14 sation of said superintendents and subordinate officers,
15 and shall also have authority to employ and discharge
16 such laborers and other persons as, in its opinion, may be
17 necessary to carry out the work devolving upon the com-
18 mission.

1 SECTION 7. Section two of chapter seventy-one of the
2 acts of eighteen hundred and ninety-three and section
3 nine of chapter two hundred and fifty-two of the acts of
4 eighteen hundred and ninety-one, and all other acts or
5 parts of acts inconsistent herewith, are hereby repealed.

1 SECTION 8. This act shall take effect upon its accept-
2 ance by a majority of the voters of the said town, present
3 and voting thereon at any annual meeting or at any spe-
4 cial meeting called for the purpose within three years

5. from its passage; but the number of such meetings shall
6 not exceed three in any one year. At such meetings the
7 votes shall be taken by written or printed ballots and the
8 polls shall be kept open at least four hours. At such
9 meetings in receiving said ballots, the checklist shall be
10 used in the same manner as it is used at elections of
11 national, state and county officers.