

# HOUSE . . . . No. 2106

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Bill accompanying the petitions of George R. Barnstead and others, selectmen, for legislation to establish the office of superintendent of public works of the town of Stoneham.

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## The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Twelve.

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### AN ACT

To establish the Offices 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 offices of the commissioners of public  
2 works of the town of Stoneham, as created by chapter two  
3 hundred and sixty three of the acts of the year nineteen  
4 hundred and two, are hereby abolished.

1 SECTION 2. All the powers, duties and liabilities con-  
2 ferred or imposed by law on the said commissioners of pub-  
3 lic works are hereby transferred to the board of selectmen  
4 of the said town, except that the powers, duties and liabili-  
5 ties of the said commissioners of public works in respect to  
6 the construction, maintenance and repair of streets, ways,  
7 bridges, side-walks, monuments at the termini and angles

8 of roads, guide-posts, drains, water-mains and services or  
9 any pipes and fixtures through which water is supplied, and  
10 common and particular sewers, are hereby transferred to  
11 the superintendent of public works hereinafter provided  
12 for, who shall exclusively have the powers, perform the  
13 duties and be subject to the liabilities and penalties of  
14 selectmen, surveyors of highways, water commissioners and  
15 sewer commissioners, with respect to the said matters.

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

CERTIFICATE OF APPOINTMENT.

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

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Selectmen.

1 SECTION 4. The certificate shall be filed with the town  
2 clerk, who shall thereupon forward a certified copy to the  
3 civil service commission. The commission shall immedi-  
4 ately make a careful inquiry into the qualifications of the  
5 nominee under such rules as they may, with the consent of  
6 the governor and council, establish, and, if they conclude  
7 that he is a competent person with the requisite qualifica-  
8 tions, they shall file with the town clerk a certificate signed  
9 by at least a majority of the commission that they have

10 made a careful inquiry into the qualifications of the ap-  
11 pointee, and that in their opinion he is qualified by educa-  
12 tion, training, or experience for said office, as the case may  
13 be, and that they approve the appointment. Upon the  
14 filing of this certificate the appointment shall become  
15 operative, subject however to all provisions of law or rules  
16 and regulations of the said town in regard to acceptance of  
17 office, oath of office, and the filing of bonds. If the commis-  
18 sion does not within thirty days after the receipt of the  
19 said notice file said certificate with the town clerk the ap-  
20 pointment shall be 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 be  
6 appointed every third year by the board of selectmen in the  
7 manner provided in sections three and four of this act, a  
8 superintendent of public works who shall hold office for the  
9 same period and shall possess the qualifications and be sub-  
10 ject to the confirmation provided for in said sections three  
11 and four of this act, except, however, that if a person hold-  
12 ing the office is reappointed the approval of the civil service  
13 commission shall not be required.

1 SECTION 6. The superintendent of public works shall be  
2 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 board  
6 of selectmen may determine, and shall be subject to such  
7 instructions, rules and regulations as the town may impose  
8 by its vote.

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

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

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