

By Mr. Mahan of Leominster (by request), petition of Ralph W. Crossman (mayor) and members of the city council for legislation to establish a department of public works in the city of Leominster. Cities.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Seven.

AN ACT ESTABLISHING A DEPARTMENT OF PUBLIC WORKS IN THE CITY OF LEOMINSTER.

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. (a) There shall be established in the city of
2 Leominster a department of public works administered by a
3 director and an advisory board, hereinafter called the board,
4 consisting of no less than five nor more than seven members
5 who shall be legal voters of the city.

6 (b) The public works director shall be responsible for and
7 will carry out the general supervision of the following
8 departments: street and sewer departments, water depart-
9 ment, forestry and parks departments, cemetery depart-
10 ment.

11 (c) The board will serve in an advisory capacity to the
12 director in connection with general policies involving all of
13 the designated departments in addition to carrying out
14 functions involving assessments and abatements pertaining
15 to said department. Meetings of the board will be scheduled
16 so that the director can be present at all such meetings.

17 (d) The director shall have and exercise all the powers and
18 duties vested immediately prior to his appointment and from
19 time to time by general or special law or by city ordinances in
20 the following boards and offices of the city, to wit: sewer
21 commissioners, superintendent of streets and sewers, water
22 commissioners and cemetery commissioners, said commis-
23 sions being abolished upon the effective date of this act.

1 SECTION 2. (a) The mayor, as soon as may be after the
2 effective date of this act, shall appoint, subject to confirmation
3 by the city council, legal voters of said city who shall
4 constitute an advisory board of public works. The original
5 terms of each member shall be for one, two and three years.
6 Each member of said board shall be appointed for a term of
7 three years, and the appointment shall be so made that the
8 terms of not more than three members shall expire in any
9 single year. In any year in which any appointments are
10 required to be made hereunder, such appointments shall be
11 made on or before the first Monday of February. The board
12 shall annually, in the month of February, elect by ballot from
13 its own membership, a chairman and a secretary.

14 (b) The mayor, as soon as may be after the effective date
15 of this act, shall appoint, subject to confirmation by the city
16 council, a director of public works for a term of three years.
17 Said director shall hold office until his successor is appoin-
18 ted.

19 (c) Said director may be removed by the city council, by a
20 two-third vote, for cause after a public hearing, written
21 notice of which shall be given said director fourteen days, at
22 least, prior to date thereof.

1 SECTION 3. The director of public works shall be the
2 administrative head of all of the departments placed in his
3 charge, as aforesaid. His powers and duties in addition to
4 those otherwise conferred or imposed upon him shall include
5 the following:

6 (a) To organize, continue or discontinue from time to time,
7 such departments or divisions thereof, not inconsistent with
8 the provisions of this act, as the city council may by vote
9 determine.

10 (b) To appoint upon merit and fitness alone, subject to
11 prevailing General Laws and ordinances, and to remove all
12 personnel of the said departments.

13 (c) To attend meetings of the city council, when requested
14 by them so to do, and to recommend to the city council for
15 adoption such measures, requiring action by them, as he may
16 determine necessary or expedient.

17 (d) To keep full and complete records of his office, and to
18 render to the city council, as often as may be required by
19 them, a full report of all operations under his control during
20 the period reported on; and annually, or oftener if required
21 by the city council, to make for publication a synopsis of his
22 reports.

23 (e) To keep the city council fully advised as to the needs of
24 the city within the scope of his duties, and to furnish the
25 mayor and the city council on or before the first day of
26 December each year, a detailed list of the appropriations
27 required during the next ensuing fiscal year for the proper
28 conduct of all departments under his control.

1 SECTION 4. All persons employed by and under the super-
2 vision of the named departments, boards or commissions shall,
3 upon the effective date of this act, be transferred to the
4 Department of Public Works. All such transfers of personnel
5 shall be made without the loss of pay and without change of
6 rating, seniority, retirement or pension rights, or any other
7 privileges under any provisions of law or ordinances. The
8 incumbent superintendents of the aforementioned depart-
9 ments and offices affected by this act, when transferred to the
10 department of public works as hereinbefore provided, shall
11 become the superintendent of the corresponding divisions of
12 said department of public works.

1 SECTION 5. The duties, powers, and responsibilities of said
2 director and said board may be broadened or diminished at
3 any time, upon a majority vote of the city council consistent
4 with prevailing General Laws or city ordinances.

1 SECTION 6. This act shall take full effect upon its accep-
2 tance by the city council of the city of Leominster. No
3 expenditures shall be made and no liabilities shall be incurred
4 hereunder until such acceptance.

