

AN ACT AUTHORIZING THE SELECTMEN OF THE TOWN OF NAHANT TO ACT AS A BOARD OF PUBLIC WORKS EXERCISING THE POWERS OF CERTAIN OTHER BOARDS AND TOWN OFFICERS. *Chap. 244*

*Be it enacted, etc., as follows:*

SECTION 1. The selectmen of the town of Nahant from and after the annual meeting held following the acceptance of this act shall be a board of public works, and in said capacity shall have and exercise, under the designation of selectmen, all the powers and duties now or from time to time vested by law in the following boards and officers in said town, to wit: — highway surveyor, water commissioners, sewer commissioners, cemetery commissioners, tree warden and board of health, and such boards and offices shall thereupon be abolished. No contracts or liabilities then in force shall be affected by such abolition, but the selectmen, acting as said board, shall in all respects be the lawful successor of the boards and offices so abolished. At the first annual meeting of the town held after said acceptance, the town shall elect one selectman for one year, one for two years and one for three years; and at each annual meeting thereafter the town shall elect their successor for terms of three years. The number of selectmen and their terms of office shall be subject to change as provided by chapter forty-one of the General Laws.

SECTION 2. The selectmen shall appoint a superintendent of public works and shall fix his compensation provided that it shall not exceed the amount appropriated therefor by the town. He shall administer, under the supervision of and direction of the selectmen a department of public works which shall include the functions formerly performed by the highway, water, sewer, cemetery, tree warden and health departments and shall also administer, under the supervision and direction of the selectmen, such other departments under their supervision as the selectmen may designate, except the fire, police and public welfare departments. He shall be responsible for the administration of all departments within the scope of his duty, and shall hold office subject to the will of the selectmen. He shall be specially fitted by education, training and experience to perform the duties of said office. He may or may not be a resident of the town when appointed. During his tenure he shall hold no other elective or appointive office, nor shall he be engaged in any other business or occupation. He shall give bond to the town for the faithful performance of his duties in such sum, upon such conditions and with such surety or sureties as the selectmen may require, the expenses of such bond to be borne by the town, and shall, subject to the approval of the selectmen, appoint such assistants, agents and employees as the performance of the duties of the various departments under his supervision may require. He shall keep full and complete records of the doings of his office, and render to the select-

men as often as they may require a full report of all operations under his control during the period reported upon; and annually, or from time to time as required by the selectmen, he shall make a synopsis of all such reports for publication. He shall keep the selectmen fully advised as to the needs of the town within the scope of his duties, and shall furnish to the selectmen on or before December first in each year, a carefully prepared and detailed estimate in writing of the appropriations required during the ensuing fiscal year for the proper conduct of all departments of the town under his supervision.

SECTION 3. This act shall not take full effect unless accepted by a majority of the voters of said town, present and voting thereon by ballot in accordance with the provisions of General Laws, so far as the same shall be applicable, at a meeting which the selectmen shall call for the purpose not later than thirty days before the annual town meeting, in answer to the question which shall be placed upon the official ballot to be used at said meeting: — “Shall an act passed by the General Court in the year nineteen hundred and forty-nine entitled ‘An Act authorizing the Selectmen of the Town of Nahant to act as a Board of Public Works exercising the powers of certain other Boards and Town Officers’ be accepted by the Town?”

SECTION 4. At any time after the expiration of three years from the date on which this act is accepted, twenty per cent of the qualified voters may petition the selectmen that the question of rescinding such acceptance be submitted to the voters at a meeting to be held at least sixty days before the annual town meeting. The vote shall be taken by ballot in accordance with the provisions of General Laws, so far as the same shall be applicable in answer to the question which shall be placed upon the official ballot to be used at said meeting, “Shall an act passed by the General Court in the year nineteen hundred and forty-nine, entitled ‘An Act authorizing the Selectmen of the Town of Nahant to act as a Board of Public Works exercising the powers of certain other Boards and Town Officers’ be rescinded by this town?” If such action is favored by a majority of the voters voting thereon, and if the total number of voters voting thereon shall be a majority of the registered voters of the town, the town shall at the next annual town meeting following such vote elect such boards and officers as are necessary to exercise and perform the powers, rights and duties transferred to the board of public works by this act. Such action shall not affect any contract then existing or any action at law or suit in equity or other proceeding then pending. All general laws respecting town administration and town officers and any special laws relative to the town, the operation of which has been suspended or superseded by the acceptance of this act, shall be revived by such rescission and shall continue to be in full force and effect. By-laws in force when such rescission takes effect, so far as they are consistent with general laws respecting town administration and town offi-

cers and with special laws relating to the town, shall not be affected thereby, but any other by-law inconsistent with such general or special laws shall be revoked. Any subsequent vote to rescind the acceptance of this act shall not be taken oftener than once in every three years.

*Approved April 29, 1949.*

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AN ACT SUBJECTING THE OFFICE OF SUPERVISOR OF VETERANS' GRAVES AND REGISTRATION IN THE CITY OF BOSTON TO THE CIVIL SERVICE LAWS. Chap. 245

*Be it enacted, etc., as follows:*

SECTION 1. The office of supervisor of veterans' graves and registration in the city of Boston shall, upon the effective date of this act, become subject to the civil service laws and rules and regulations, and the term of office of any incumbent thereof shall be unlimited, subject, however, to said laws; provided, however, that the present incumbent of said office may continue to serve as such after passing a qualifying examination to which he shall be subjected by the division of civil service.

SECTION 2. This act shall take full effect upon its acceptance by the city council of the city of Boston subject to the provisions of its charter, but not otherwise.

*Approved April 29, 1949.*

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AN ACT EXEMPTING FROM TAXATION CERTAIN PROPERTY IN THE DRACUT WATER SUPPLY DISTRICT. Chap. 246

*Be it enacted, etc., as follows:*

SECTION 1. Chapter 433 of the acts of 1905 is hereby amended by striking out section 8 and inserting in place thereof the following section: — *Section 8.* Whenever a tax is duly voted by the district for the purposes of this act, the clerk shall send a certified copy of the vote to the assessors of said town, who shall assess the same on property within the district in the same manner in all respects in which town taxes are required by law to be assessed; provided, that no estate shall be subject to any tax assessed on account of the system of water supply under this act if, in the judgment of the board of water commissioners hereinafter provided for, after a hearing, due notice whereof shall have been given, such estate is so situated that it can receive no aid in the extinguishment of fire from the said system of water supply, or if such estate is so situated that the buildings thereon, or the buildings that might be constructed thereon, could not be supplied with water from said system in any ordinary or reasonable manner; but all other estates in the district shall be deemed to be benefited and shall be subject to such tax. A certified list of the estates exempt from taxation under the provisions of this section shall annually be sent by said board of water commissioners to said assessors, at the same time at which the clerk shall send a certified copy of the