

the finance committee shall be vested in the director of public works, working in conjunction with the board of water commissioners. The revenues of the water and sewer departments shall be utilized only for the water and sewer departments and eminent domain taking shall be made by and in the name of the board of water commissioners.

SECTION 6. This act shall be submitted to the voters of the town of Southwick at any special or annual town meeting in the form of the following question which shall be placed on the official ballot:- "Shall an act passed by the General Court in the year nineteen hundred and ninety-one, entitled 'An Act establishing a department of public works in the town of Southwick', be accepted?"

If a majority of the votes cast in answer to said question is in the affirmative, this act shall take effect, but not otherwise.

Approved December 29, 1991.

Chapter 447. AN ACT ESTABLISHING A DEPARTMENT OF PUBLIC WORKS IN THE TOWN OF SOUTHBOROUGH.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established in the town of Southborough a department of public works, hereinafter called the department, which shall be under the jurisdiction of the board of selectmen. The department shall have all the powers and duties now vested by the General Law and town by-law in the highway department, cemetery department, water department and the office of tree warden. Said departments and office are hereby abolished and their powers and duties shall be transferred to and shall be under the direction of the department. No contracts, obligations or liabilities in force on the effective date of this act shall be affected hereby, but the department shall in all respects be the lawful successor of said departments and office now included in the department.

SECTION 2. The board of selectmen shall appoint a superintendent of public works, whose qualifications, powers and duties shall be determined and prescribed by said board, and who shall be responsible to said board. The superintendent shall have authority for carrying out the policies of said board and over the operations of the department. The superintendent shall appoint and remove such employees as he deems necessary, subject to appropriation and the approval of said board. Said superintendent shall be appointed for a term of three years commencing on July first and expiring on June thirtieth at the conclusion of the statutory period.

SECTION 3. All powers and duties now vested by the General Law and town by-law in the boards of water commissioners, board of cemetery commissioners

Chap. 448

and tree warden shall be assumed by the board of selectmen and said boards of water commissioners, board of cemetery commissioners and tree warden are hereby abolished.

SECTION 4. All equipment owned by the town of Southborough and under the control of the highway, cemetery and water departments and office of tree warden shall, upon the effective date of this act, be under the control and direction of the department of public works.

SECTION 5. There is hereby established in the town of Southborough a public works planning board to advise the board of selectmen in matters of planning, managing and financing of said town. Said board shall consist of five members, three of whom shall be appointed by the moderator of said town and two of whom shall be appointed by the planning board of said town. Said members shall serve for a term of three years; provided, however, that of the initial appointments made by the moderator, one member shall be for a term of one year, one member shall be for a term of two years and one member shall be for a term of three years and of the initial appointments made by the planning board, one member shall be for a term of two years and one member shall be for a term of three years.

SECTION 6. This act shall take effect upon its passage.

Approved December 29, 1991.

Chapter 448. AN ACT TO ESTABLISH A FUNDING SCHEDULE FOR THE TOWN OF NEEDHAM RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the acceptance of the provisions of section 22D of chapter 32 of the general laws by the town of Needham retirement system, said Needham retirement system may adopt a funding schedule established under subdivision (1) of said section 22D of said chapter 32 which, notwithstanding the provisions of the first sentence of said subdivision (1) of said section 22D, would set forth total annual payments in any of its first six fiscal years which are less in any such year than the total estimated cost of benefits to be paid in such year for such system or for such other assumed liabilities; provided further however, that notwithstanding such acceptance of said section 22D, said Needham retirement system shall not be subject to the provisions of paragraph (e) of subdivision (4) of said section 22D.

SECTION 2. Notwithstanding the provisions of clause (i) of paragraph (c) of subdivision (7) of said section 22 of chapter 32 of the General Laws or of any other general or special law to the contrary, the amounts determined by the actuary of the public employee retirement administration on or before December fifteenth,