

Chapter 314

T H E C O M M O N W E A L T H O F M A S S A C H U S E T T S

In the Year Two Thousand and Ten

AN ACT ABOLISHING THE BOARD OF PUBLIC WORKS IN THE TOWN OF HOPKINTON.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 375 of the acts of 1998 is hereby amended by striking out section 1, as appearing in section 1 of chapter 262 of the acts of 2006, and inserting in place thereof the following section:-

Section 1. There is hereby established in the town of Hopkinton a department of public works, in this act called "the department", which shall be under the supervision and control of the town manager, except for those powers and duties assigned under this chapter to the board of selectmen, in this act called "the board".

SECTION 2. Said chapter 375 is hereby further amended by striking out section 4, as amended by section 2 of said chapter 262, and inserting in place thereof the following section:-

Section 4. The board shall have the exclusive authority to establish rates, fees and other charges for such services, programs and other public benefits as may have come within the jurisdictions of any of the boards, departments or offices which have been abolished by this act. The town manager shall appoint and, subject to appropriation, fix the compensation of a director of public works, who shall exercise and perform, under the supervision and direction of the town manager, such of the powers, rights and duties which have been transferred to the department hereunder as the town manager may from time to time designate. The director shall be responsible for the efficient exercise and performance of such powers, rights and duties and shall hold office subject to the will of the town manager. The director shall be specifically fitted by education, training and experience to perform the duties of the office and may or may not be a resident of the town. Except as otherwise set forth in this act, during the director's tenure, the director shall hold no elective or other appointive office, nor shall the director be engaged in any other business or occupation. The director shall, subject to the approval of the board, appoint such assistants, agents and employees as the exercise and performance of the director's powers, rights and duties may require. The director shall keep full and complete records of the doings of the director's office and render to the board as often as it may require a

full report of all operations under the director's control during the period reporting upon.

SECTION 3. Said chapter 375 is hereby further amended by striking out section 10 and inserting in place thereof the following section:-

Section 10. The town manager shall appoint the director for a term of from 1 to 3 years commencing on July 1 and expiring on June 30; provided, however, that the initial term of such director shall commence on the date of appointment by the town manager and terminate on the next following June 30. The town manager may remove the director when, in the town manager's judgment, the public interest so requires. The director shall not be subject to section 9A of chapter 30 or chapter 31 of the General Laws.

SECTION 4. Section 3 of chapter 262 of the acts of 2006 is hereby repealed.

SECTION 5. Chapter 136 of the acts of 2009 is hereby repealed.

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

House of Representatives, August 4, 2010.

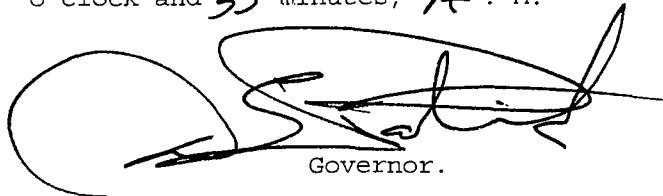
Passed to be enacted,  , Speaker.

In Senate, August 9, 2010.

Passed to be enacted,  , President.

19 August, 2010.
Approved,

at 11 o'clock and 53 minutes, A . M.


Governor.