

HOUSE No. 4356

The Commonwealth of Massachusetts

PRESENTED BY:

Mindy Domb and Joanne M. Comerford

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act authorizing the town of Amherst to continue the employment of Walter (Tim) Nelson.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>1/14/2022</i>

HOUSE No. 4356

By Representative Domb of Amherst and Senator Comerford, a joint petition (accompanied by bill, House, No. 4356) of Mindy Domb (by vote of the town) that the town of Amherst be authorized to continue the employment of Walter (Tim) Nelson as fire chief of said town notwithstanding the maximum age requirement. Public Service. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act authorizing the town of Amherst to continue the employment of Walter (Tim) Nelson.

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. Notwithstanding any general or special law to the contrary, town of
2 Amherst fire chief Walter (Tim) Nelson may continue in such position beyond the age of 65;
3 provided, however, that he is mentally and physically capable of performing the duties of such
4 position. The town manager may, at the expense of said fire chief, require him to be examined by
5 an impartial physician designated by the town manager to determine such capability. The fire
6 chief's employment shall continue until the date of retirement, or his non-reappointment or
7 termination, whichever occurs first, provided that he is mentally and physically capable of
8 performing the duties of his office.

9 SECTION 2. No further deductions shall be made from the regular compensation of fire
10 chief Walter (Tim) Nelson under chapter 32 of the General Laws for any service performed
11 subsequent to reaching age 65. Upon the retirement from the office of fire chief, Walter (Tim)

12 Nelson shall receive a superannuation retirement allowance equal to that to which he would have
13 been entitled had he retired upon reaching age 65, if any.

14 SECTION 3. The provisions of this act shall not entitle Walter (Tim) Nelson to remain in
15 service to the town of Amherst if otherwise removed or suspended from office in accordance
16 with applicable laws, rules and regulations.

17 SECTION 4. This act shall take effect upon its passage.