

HOUSE No. 5010

The Commonwealth of Massachusetts

PRESENTED BY:

Kate Donaghue

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 relative to the department of public works in the town of Southborough.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kate Donaghue</i>	<i>19th Worcester</i>	<i>6/20/2024</i>

HOUSE No. 5010

By Representative Donaghue of Westborough, a petition (accompanied by bill, House, No. 5010) of Kate Donaghue (by vote of the town) relative to the department of public works in the town of Southborough. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to the department of public works in the town of Southborough.

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. Chapter 447 of the acts of 1991 is hereby amended by striking out sections
2 1 to 3, inclusive, and inserting in place thereof the following 3 sections:-

3 Section 1. There is hereby established in the town of Southborough a department of
4 public works, hereinafter called the department, which shall be under the jurisdiction of the
5 town's select board. The department shall have all the powers and duties now vested by the
6 General Laws and town by-law in the highway department, cemetery department and water
7 department. Said departments are hereby abolished and their powers and duties shall be
8 transferred to and shall be under the direction of the department. No contracts, obligations or
9 liabilities in force on the effective date of this act shall be affected hereby, but the department
10 shall in all respects be the lawful successor of said departments and offices now included in the
11 department.

12 Section 2. The select board shall appoint a superintendent of public works, whose
13 qualifications, powers and duties shall be determined and prescribed by said board, and who
14 shall be responsible to said board. The superintendent shall have authority for carrying out the
15 policies of said board and over the operations of the department. The superintendent shall
16 appoint and remove such employees as they deem necessary, subject to appropriation and the
17 approval of said board. Said superintendent shall be appointed for a term of 3 years commencing
18 on July first and expiring on June thirtieth at the conclusion of the statutory period. The select
19 board shall appoint a tree warden as described under chapter 87 of the General Laws.

20 Section 3. All powers and duties now vested by the General Laws and town by-laws in
21 the board of water commissions and board of cemetery commissioners shall be assumed by the
22 select board and said board of water commissioners and board of cemetery commissioners are
23 hereby abolished.

24 SECTION 2. Section 5 of said chapter 447 is hereby repealed.

25 SECTION 3. This act shall take effect upon its passage.