

Part I	ADMINISTRATION OF THE GOVERNMENT
Title VII	CITIES, TOWNS AND DISTRICTS
Chapter 41	OFFICERS AND EMPLOYEES OF CITIES, TOWNS AND DISTRICTS
Section 69C	SUBMISSION OF ADOPTION OF BOARD OF PUBLIC WORKS TO ELECTORATE; BALLOT

Section 69C. By vote of a town meeting called for the purpose in any town at least ninety days before an annual town meeting, or, in the case of a town which voted thereon and the vote was not in the affirmative, upon request by petition of ten per cent of the qualified voters of any town filed with the selectmen at least sixty days before an annual town meeting, the selectmen shall include in the warrant for such annual meeting for submission to the voters the following question, to be placed on the official ballot in towns using such ballots:—"Shall sections sixty-nine C to sixty-nine F, inclusive, of chapter forty-one of the General Laws, providing for the establishment of a board of public works exercising the powers of certain other departments and town officers be accepted?" If a majority of the votes cast in answer to such question is in the affirmative, this section and sections sixty-nine D to sixty-nine F, inclusive, shall become fully effective beginning with, and for the purposes of, the next annual town election.

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Section 69D	BOARD OF PUBLIC WORKS; MEMBERSHIP; ELECTION; TENURE; POWERS AND DUTIES

Section 69D. Any town which has accepted the provisions of sections sixty-nine C to sixty-nine F, inclusive, shall elect in the following manner a board of public works, hereinafter called the board, to consist of three members. The initial members thereof shall be elected, one to serve for one year, one for two years, and one for three years, from the date of the annual meeting at which they are elected, and thereafter when the term of any member expires, his successor shall be elected to serve for three years. In all cases the members shall serve until their successors are elected and qualified. The members of the board shall, after each election, elect one of their members to act as chairman for the ensuing year.

Upon the election and qualification of the members of the board, the board shall have all the powers and duties now or from time to time vested by general law or special act in the following boards, departments and offices, or in boards, departments and offices having corresponding powers and duties in said town, to wit:—road commissioners, surveyors of highways, superintendent of streets, water commissioners, sewer

commissioners, municipal light board or commissioners, park commissioners, cemetery commissioners, tree warden, moth superintendent and forestry department, and such boards, departments and offices shall thereupon be abolished. No contracts or liabilities then in force shall be affected by such abolition, but the board of public works shall in all respects be the lawful successor of the boards, departments and offices so abolished.

The board shall have such additional powers with respect to the furnishing of engineering services, the collection and disposal of garbage and refuse, the maintenance and repair of town buildings and property, and the performance of such duties of any other boards, departments and offices of the town as may be reasonably related to the duties and responsibilities of a board of public works, as the town may, from time to time, by by-law provide, any other provisions of law to the contrary notwithstanding.

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Section 69E	SUPERINTENDENT OF PUBLIC WORKS; APPOINTMENT; POWERS AND DUTIES

Section 69E. The board shall appoint and fix the compensation of a superintendent of public works, who shall exercise and perform, under the supervision and direction of the board, such of the powers, rights and duties transferred to it under section twenty-one or section sixty-nine D as it may from time to time designate. He 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 board. He shall be specially fitted by education, training and experience to perform the duties of said office, and may or may not be a resident of the town. During his tenure he shall hold no elective or other appointive office, nor shall he be engaged in any other business or occupation. He shall give to the town a bond with a surety company authorized to transact business in the commonwealth as surety, for the faithful performance of his duties, in such sum and upon such conditions as the board may require, and shall, subject to the approval of the board, appoint such assistants, agents and employees as the exercise and performance of his powers, rights and

duties may require. He shall keep full and complete records of the doings of his office and render to the board as often as it may require a full report of all operations under his control during the period reported upon; and annually, and from time to time as required by the board, he shall make a synopsis of such reports for publication. He shall keep the board fully advised as to the needs of the town within the scope of his duties, and shall furnish to the board each year upon its request a carefully prepared and detailed estimate in writing of the appropriations required during the next succeeding fiscal year for the proper exercise and performance of all said powers, rights and duties.

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Section 69F	SUBMISSION TO VOTERS OF REVOCATION OF ACCEPTANCE; CONDITIONS; EFFECT

Section 69F. Any town which has accepted the provisions of sections sixty-nine C to sixty-nine F, inclusive, may, after the expiration of three years from the date of such acceptance, upon petition of ten per cent of the qualified voters of the town filed with the selectmen at least sixty days before an annual town meeting, vote at an annual meeting to revoke such acceptance, and the question of such revocation shall be submitted to the voters in the form of the following question:—"Shall the acceptance by the town of sections sixty-nine C to sixty-nine F, inclusive, of chapter forty-one of the General Laws providing for the establishment of a board of public works exercising the powers of certain other departments and town officers be revoked?" If a majority of the votes cast in answer to said question is in the affirmative, then at the next annual town election held after said vote to revoke, the town shall elect such officers as are necessary to exercise and perform the powers, rights and duties transferred to the board of public works by said sections. Such action shall not affect any contract or liability then created or existing. All

general laws respecting town administration and town officers, and any special laws relative to said town, the operation of which has been suspended or superseded by the acceptance of said sections sixty-nine C to sixty-nine F, inclusive, shall then be in full force and effect. Any by-law inconsistent with such special or general laws shall be revoked thereby. Any subsequent vote to revoke the acceptance of said sections shall not be taken more often than once in three years.