

**HOUSE . . . . . No. 3865**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Donald R. Berthiaume, Jr.***

*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 providing for the appointment of a superintendent of streets in the town of Hardwick.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Donald R. Berthiaume, Jr.</i>	<i>5th Worcester</i>	<i>11/18/2015</i>

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By Mr. Berthiaume of Spencer, a petition (accompanied by bill, House, No. 3865) of Donald R. Berthiaume, Jr. (by vote of the town) that the town of Hardwick be authorized to appoint a superintendent of streets for said town. Municipalities and Regional Government. [Local Approval Received.]

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**The Commonwealth of Massachusetts**

**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**

An Act providing for the appointment of a superintendent of streets in the town of Hardwick.

*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, the board of  
2 selectmen of the town of Hardwick shall appoint a superintendent of streets for a term not to  
3 exceed 3 years. The superintendent of streets shall, under the direction of the board of  
4 selectmen, have full charge of all repairs and labor upon public ways and sidewalks; and in  
5 relation to such matters the superintendent of streets shall have the power, perform the duties and  
6 be subject to the liabilities and penalties of surveyors of highways and road commissioners. The  
7 board of selectmen may remove the superintendent of streets after the opportunity for a hearing.

8           The board of selectmen may establish an employment contract for the superintendent of  
9 streets for salary, fringe benefits and other conditions of employment, including, but not limited  
10 to, severance pay, reimbursement of expenses incurred in the performance of the duties of office,  
11 liability insurance and conditions of discipline, termination, dismissal, reappointment,  
12 performance standards and leave.

13           SECTION 2. Upon the effective date of this act, the elected office of highway surveyor  
14 shall be abolished and the term of such office terminated; provided however, that any incumbent  
15 of such office serving on the effective date of this act shall continue to hold said office and shall  
16 continue to perform the duties thereof until the expiration of the term for which he or she was  
17 elected or otherwise vacates such office. After the expiration of the term of the incumbent  
18 highway surveyor, or a sooner vacating of the office, the board of selectmen shall appoint a  
19 superintendent of streets, pursuant to section 1.

20           SECTION 3. No contracts or liabilities in force on the effective date of this act shall be  
21 affected by the abolition of the elected office of highway surveyor and the appointment of a  
22 superintendent of streets shall, in all respects, be the lawful successor of the office so abolished.  
23 All records, property and equipment of the office of the highway surveyor shall be assigned to  
24 the office of the superintendent of streets.

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