

HOUSE No. 3619

The Commonwealth of Massachusetts

PRESENTED BY:

Timothy R. Madden and Daniel A. Wolf

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 Tisbury.

PETITION OF:

NAME:

Timothy R. Madden

DISTRICT/ADDRESS:

Barnstable, Dukes and Nantucket

HOUSE No. 3619

By Representative Madden of Nantucket and Senator Wolf, a joint petition (accompanied by bill, House, No. 3619) of Timothy R. Madden (by vote of the town) that the department of public works of the town of Tisbury be authorized to manage all public works operations of said town. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

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

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

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 599 of the acts of 1989 is hereby amended by striking out section 1
2 and inserting in place thereof the following:

3 There shall be established in the town of Tisbury, hereinafter in this act referred to as the
4 town, a department of public works under the jurisdiction of the board of selectmen. Said
5 department shall have charge and responsibility for the management of all public works
6 operations of the town, including but not limited to the following: roads and sidewalks, sewer
7 and wastewater, solid waste collection and disposal, cemeteries, parks and recreation, tree and
8 moth, engineering services, building maintenance of all municipal buildings except those under
9 the jurisdiction of the school department, and other operations as may be deemed necessary or
10 desirable. The board of selectmen shall have the power to make all policy decisions relating to
11 the operations of public works within the town. To assist it in its oversight of said department,

12 the board of selectmen may appoint an advisory board of public works consisting of no more
13 than five members, who shall serve for such terms as the board of selectmen shall prescribe.

14 SECTION 2. Said chapter 599 is hereby further amended by striking out section 2 in its
15 entirety.

16 SECTION 3. Said chapter 599 is hereby further amended by striking out section 3 and
17 inserting in place thereof the following:

18 The board of selectmen shall appoint a director of public works and all employees of the
19 department in accordance with the centralized personnel procedures of the town, and the
20 compensation of these appointees shall be fixed in accordance with the wage and salary
21 classification plan of the town. The board of selectmen shall also appoint the tree warden of the
22 town.

23 SECTION 4. Said chapter 599 is hereby further amended by striking out section 5 and
24 inserting in place thereof the following:

25 The board of selectmen shall have all the powers, duties and responsibilities of a board of
26 cemetery commissioners, parks and recreation commissioners and road commissioners, and may
27 appoint such persons as it deems necessary to carry out such duties and responsibilities.

28 SECTION 5. Said chapter 599 is hereby further amended by striking out the second and
29 third sentences of section 6.

30 SECTION 6. On the effective date of this act, the terms of office of those persons then
31 serving on the town's board of public works commissioners shall terminate, provided, however,

32 that no collective bargaining agreement, contracts or liabilities of the department of public works
33 in force on said effective date shall be affected.

34 SECTION 7. This act shall take effect upon its passage.