

**HOUSE . . . . . No. 3657**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*David M. Rogers*

*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 establishing the position of town administrator in the town of Belmont.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David M. Rogers</i>	<i>24th Middlesex</i>	
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>	<i>8/8/2013</i>

**HOUSE . . . . . No. 3657**

By Mr. Rogers of Cambridge, a petition (accompanied by bill, House, No. 3657) of David M. Rogers and William N. Brownsberger (by vote of the town) that the town of Belmont be authorized to establish the position of town administrator in said town. Municipalities and Regional Government. [Local Approval Received.]

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

An Act establishing the position of town administrator in the town of Belmont.

*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. The board of selectmen of the town of Belmont shall appoint a town  
2 administrator to serve at the pleasure of said board. The town administrator shall be a person  
3 especially fitted by education, training and experience to perform the duties of the office.

4 SECTION 2. Under the direction of the board of selectmen, the town administrator shall:  
5 (i) serve as the town’s chief administrative officer; (ii) act as the agent for said board; (iii) be  
6 responsible to said board for the proper operation of town affairs for which the town  
7 administrator is given responsibility pursuant to this act; (iv) supervise, direct and be responsible  
8 for the efficient administration of all departments and employees under the jurisdiction of said  
9 board; and (v) perform all functions for which said town administrator is given responsibility,  
10 authority or control by this act, by-law or vote of said board.

11 SECTION 3. The town administrator shall appoint, based upon merit and fitness, all non-  
12 elected department heads of the town, except: (i) the chief and employees of the police  
13 department; (ii) the chief and employees of the fire department; (iii) employees of the treasurer  
14 and tax collector; (iv) employees of the town clerk; (v) the superintendent and employees of the  
15 school department; (vi) the town accountant; (vii) the health director and employees of the health  
16 department; and (viii) the director and employees of the Belmont Public Library. Appointments  
17 by the town administrator of department heads under the jurisdiction of the board of selectmen  
18 shall be subject to confirmation by said board. Appointments by the town administrator of  
19 department heads and other personnel under the jurisdiction of any other elected board shall be  
20 made with the advice and consent of that board. Each department head appointed by the town

21 administrator shall appoint subordinates and employees in accordance with the personnel by-  
22 laws, rules and regulations of the town. All other appointments made by the town administrator  
23 shall be made in consultation with the appropriate board, commission or committee and shall be  
24 in compliance with the personnel by-laws, rules and regulations of the town.

25 SECTION 4. The town administrator, acting jointly with the superintendent of schools,  
26 shall appoint the director of the department of public facilities, established by the town pursuant  
27 to section 37M of chapter 71 of the General Laws, or any successor department, and said director  
28 shall serve at the pleasure of the town administrator and superintendent of schools.

29 SECTION 5. Any person holding office or employment in the town of Belmont upon the  
30 effective date of this act shall retain such office or employment and continue to perform the  
31 person's duties pursuant to the personnel by-laws, rules and regulations of the town.

32 SECTION 6. All laws, by-laws, rules and regulations of or pertaining to the town of  
33 Belmont not inconsistent with the provisions of this act shall continue in full force and effect  
34 until amended or repealed. All elected and appointed officers, boards, commissions and  
35 committees of the town shall retain all powers, duties and responsibilities that are not  
36 inconsistent with this act and that have been conferred upon said officers, boards, commissions  
37 and committees by law, town by-law or town meeting vote. Nothing contained herein shall  
38 impair contractual rights established prior to the adoption of this act.

39 SECTION 7. This act shall not apply to the Belmont municipal light department, its  
40 general manager, its employees or its operations. Said department shall remain subject to  
41 chapter 164 of the General Laws.

42 SECTION 8. This act shall take effect upon its passage.