HOUSE . . . . . No. 4593

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, April 4, 2022.

The committee on Public Service to whom was referred the joint petition (accompanied by bill, House, No. 4356) of Mindy Domb (by vote of the town) that the town of Amherst be authorized to continue the employment of Walter (Tim) Nelson as fire chief of said town notwithstanding the maximum age requirement, reports recommending that the accompanying bill (House, No. 4593) ought to pass [Local Approval Received].

For the committee,

KENNETH I. GORDON.

FILED ON: 2/25/2022

HOUSE . . . . . No. 4593

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act authorizing the town of Amherst to continue the employment of Walter (Tim) Nelson.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, town of Amherst fire chief Walter (Tim) Nelson may continue in such position until reaching the age of 70; provided, however, that he is mentally and physically capable of performing the duties of such position. The town manager may, at the expense of said fire chief, require him to be examined by an impartial physician designated by the town manager to determine such capability. The fire chief's employment shall continue until he reaches the age of 70, the date of retirement, or his non-reappointment or termination, whichever occurs first, provided that he is mentally and physically capable of performing the duties of his office.

SECTION 2. No further deductions shall be made from the regular compensation of fire chief Walter (Tim) Nelson under chapter 32 of the General Laws for any service performed subsequent to reaching age 65. Upon the retirement from the office of fire chief, Walter (Tim) Nelson shall receive a superannuation retirement allowance equal to that to which he would have been entitled had he retired upon reaching age 65, if any.

SECTION 3. The provisions of this act shall not entitle Walter (Tim) Nelson to remain in service to the town of Amherst if otherwise removed or suspended from office in accordance with applicable laws, rules and regulations.

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