

SENATE No. 3127

Senate, October 27, 2022 -- Substituted as a new draft (Senator Timilty) for the Senate Bill relative to the town administrator in the town of Milton (Senate, No. 2628).

The Commonwealth of Massachusetts

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

An Act relative to the town administrator in the town of Milton.

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 65 of the acts of 2016 is hereby amended by striking out the words
2 “board of selectmen” each time they appear, and inserting in place thereof, in each instance, the
3 following words:- select board.

4 SECTION 2. Subsection (d) of section 2 of said chapter 65 is hereby further amended by
5 striking out the words “Subject to the civil service laws and any collective bargaining agreements
6 as may be applicable, the town administrator shall appoint, supervise and direct all department
7 heads, except for the consolidated facilities director and town employees, who are under the
8 jurisdiction of the board of selectmen” and inserting in place thereof the following words:-
9 Subject to the civil service laws and any collective bargaining agreements as may be applicable,
10 the town administrator shall appoint, supervise and direct all department heads, except for the
11 consolidated facilities director, and town employees who are under the jurisdiction of the select
12 board.

13 SECTION 3. Subsection (j) of said section 2 of said chapter 65 is hereby amended by
14 striking out the word “to”, the first time it appears.

15 SECTION 4. Subsection (k) of said section 2 of said chapter 65 is hereby amended by
16 striking out the word “to” the second time it appears.

17 SECTION 5. Said section 2 of said chapter 65 is hereby further amended by striking out
18 subsection (l) and inserting in place thereof the following subsection:-

19 (l) The town administrator shall have full jurisdiction over the short-term rental and use
20 of all town facilities and real property except real property that is under the control of the school
21 committee, the board of library trustees, the board of park commissioners, the board of cemetery
22 trustees, the Milton Housing Authority, the trustees of the affordable housing trust, or the
23 conservation commission; provided, however, that the town administrator, together with the
24 school superintendent, shall supervise and oversee the director of consolidated facilities, who
25 shall be responsible for the maintenance and repair of all town buildings and facilities. For
26 purposes of this subsection, “short-term rental and use of all town facilities and real property”
27 shall mean a rental and use that does not exceed 7 days.

28 SECTION 6. Said section 2 of said chapter 65 is hereby further amended by striking out
29 subsection (t) and inserting in place thereof the following subsection:-

30 (t) The town administrator shall submit to the select board and to town meeting, if
31 necessary, plans to reorganize, consolidate or abolish departments or offices under the town
32 administrator’s direction and supervision or to establish new departments and offices, or both,
33 subject to enactment of home rule legislation if otherwise legally required.

34 SECTION 7. Subsection (v) of said section 2 of said chapter 65 is hereby further
35 amended by striking out the word “include” and inserting in place thereof the following word:-
36 mean.

37 SECTION 8. Subsection (w) of said section 2 of said chapter 65 is hereby further
38 amended by striking out the word “to”.

39 SECTION 9. The charter of the town of Milton, which is on file with the office of the
40 archivist of the commonwealth, as provided in section 12 of chapter 43B of the General Laws, is
41 hereby amended by striking out the word “selectmen”, each time it appears, and inserting in
42 place thereof, in each instance, the following words:- select board.

43 SECTION 10. Said charter is hereby further amended by striking out the word
44 “chairman”, each time it appears, and inserting in place thereof, in each instance, the following
45 word:- chair.

46 SECTION 11. Notwithstanding any general or special law to the contrary, the executive
47 body of the town of Milton, previously known as the board of selectmen, shall be known as the
48 select board and shall have the powers and authority of a board of selectmen under any general
49 or special law and members of the select board, previously known as selectmen, shall be known
50 as select board members.

51 SECTION 12. This act shall take effect upon its passage.