

Chap. 816. AN ACT ESTABLISHING THE POSITION OF EXECUTIVE ADMINISTRATOR IN THE TOWN OF FRAMINGHAM.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established in the town of Framingham, hereinafter referred to as the town, the position of executive administrator. Such position shall be filled by a person qualified in accordance with the by-laws of the town who shall devote full time to the duties of his position and shall not engage in any other business or occupation during his term. Any person appointed or re-appointed to such a position shall meet such additional qualifications as may be established by by-law, or until adoption of any such by-law, by the personnel board of the town jointly with the appointing authority. The person appointed to the position of executive administrator shall be or become, and remain as, resident of and domiciled in the town at the time of or within six months after appointment.

SECTION 2. The board of selectmen shall, by majority vote of the members thereof, appoint the executive administrator for a term of three years and may by majority vote of the members thereof appoint a temporary or interim executive administrator; provided, however, that no person shall hold a temporary or interim appointment to such position for more than ninety days. Compensation shall be established within the classification and pay plan of the town by-laws for the salary of the executive administrator and as set by the board of selectmen. Any person holding the position of executive administrator may be removed therefrom by unanimous vote of the members of the board of selectmen taken after due written notice to the executive administrator and a public hearing at which the reasons for removal shall be set forth and at which the executive administrator shall be entitled to be heard.

SECTION 3. The duties and responsibilities of the position of executive administrator shall be as follows:

(a) except as otherwise expressly prohibited by general law or by-law of the town, he shall supervise, direct and be responsible for the efficient administration, including the preparation of budgets, of all departments and employees within the jurisdiction of, or appointed by, the board of selectmen;

(b) he shall recommend to the board of selectmen persons from among those meeting the qualifications established by general law, by-laws of the town or regulations established thereunder, for appointment as department heads of all departments the heads of which are appointed by the board of selectmen, from which recommendations such appointments shall be made; all such department heads shall appoint from among those meeting the qualifications established by general law, by-laws of the town or regulations established thereunder,

and have power to remove, all assistants and employees of such departments, subject only to contrary provisions of the general laws, by-laws of the town or regulations established thereunder, and the prior approval in writing by the executive administrator of persons so appointed or of such removal; he shall recommend in writing to the board of selectmen the removal of any such department head for cause, setting forth in such recommendation specific reasons and facts supporting such recommendation;

(c) he shall have access to all town books, papers, and records for information necessary for the proper performance of his duties; and

(d) he shall have such additional duties and responsibilities as may from time to time be delegated by the board of selectmen or authorized by by-law, and he shall be relieved of such duties and responsibilities if so provided by by-law.

SECTION 4. The board of selectmen shall make the initial appointment to the position of executive administrator within ninety days after this act shall become effective.

SECTION 5. Upon the fifteenth day after the initial appointment to the position of executive administrator, the office of executive secretary and the term of the person holding such office shall cease and terminate.

SECTION 6. This act shall take effect upon its passage.

SECTION 7. If any provision of this act or the application of any provision to any person or circumstance shall be determined to be invalid or unenforceable, then such determination shall not affect any other provisions of this act or the application of said provision to any other person or circumstances, all of which other provisions shall remain in force and effect.

Approved December 23, 1975.

Chap. 817. AN ACT MAKING A CERTAIN CORRECTIVE CHANGE IN THE LAW RELATIVE TO STATE ADMINISTRATIVE PROCEDURE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to correct an error in the law relative to state administrative procedure, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (2) of section 1 of chapter 30A of the General Laws, as appearing in section 50 of chapter 835 of the acts of 1974, is hereby amended by inserting after the words "the personnel administrator;" the words: — the civil service commission;.