

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation, as set forth below, to change the position of treasurer-collector from an elected position to a position appointed by the Board of Selectmen; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition; or take any other action relative thereto.

The Petition of special legislation shall take the following form:

An Act Relative to the Position of Treasurer Collector in the Town of Berkley

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 section 1 of chapter 41 of the General Laws or any other general or special law, rule or regulation to the contrary, there shall be a treasurer/collector for the Town of Berkley. The Treasurer/Collector shall have all the powers, perform the duties and be subject to the liabilities and penalties now or hereafter conferred and imposed by law on town treasurers and town collectors of taxes. The treasurer/collector shall be appointed and may be removed, after opportunity for a hearing, by the board of selectmen for the town. The board of selectmen may establish an employment contract, subject to annual appropriation, with the treasurer/collector for salary, fringe benefits and other conditions of discipline, termination, dismissal, reappointment, performance standards and leave.

Section 2. Upon the effective date of this act, the elected offices of treasurer/collector shall be abolished and the term of the incumbent of such office terminated. Notwithstanding the foregoing, the elected incumbent holding the offices and perform the duties of those offices until the expiration of the term for which the town treasurer/collector was elected, unless he or she sooner vacates such offices or until a new treasurer/collector is appointed by the board of selectmen in accordance with section 1 of this act.

Section 3. No contracts or liabilities in force on the effective date of this act shall be affected by the abolition of the elected office of treasurer/collector shall, in all respects, be the lawful successor of the office so abolished. All records, property and equipment of the offices of the elected treasurer/collector shall be assigned to the office of the appointed treasurer/collector.

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

