



# TOWN OF WAYLAND

## VOTE OF THE 2008 ANNUAL TOWN MEETING TO ESTABLISH A RECREATION COMMISSION

### Chapter 347 of the Acts of 2008

#### AN ACT AUTHORIZING THE TOWN OF WAYLAND TO ESTABLISH A DEPARTMENT OF PUBLIC WORKS.

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

#### **SECTION 8. Establishment of Recreation Commission; Recreation Director.**

- (a) Upon the filing of written notice in accordance with Paragraph (a) of Section 2 of this act, the town's Park and Recreation Commission shall be thereafter known as the Recreation Commission. The Recreation Commission shall consist of five members elected for terms of three years. The terms of the members of the Recreation Commission shall be staggered as the terms of the Park and Recreation Commission are so staggered. The members of the Park and Recreation Commission in office immediately prior to the effective date of this act shall continue in office as members of the Recreation Commission provided for in this section.
- (b) The Recreation Commission shall have the power and authority to conduct recreation programs and activities on land or in facilities or buildings owned, leased or held by the town for park, playground or recreation purposes, and, with the approval of the school committee, for school purposes.
- (c) In addition, the Recreation Commission shall be responsible for the custody, management, control and operation of all accounts, budgetary funds, other funds and staff formerly under the jurisdiction of the Park and Recreation Commission and held or employed for playground or recreation purposes.
- (d) The Town Administrator, in consultation with the Recreation Commission, shall also have the power and authority to appoint, fix the tenure, compensation and fringe benefits of, and may enter into an employment agreement with a Recreation Director, subject to appropriation and the provisions of the town's by-laws and personnel by-laws and wage and salary classification plan. The Recreation Director shall exercise and perform, under the supervision and direction of the board and the administrative direction of the Town Administrator, the powers, rights and duties of the commission set forth in this section and the town's by-laws. The Recreation Director need not be a resident of the town during tenure of office. No member of the board shall be eligible for appointment as the Recreation Director. The Recreation Director shall be a managerial and confidential employee as such is defined by Massachusetts General Laws Chapter 150E and relevant case law from the Massachusetts Labor Relations Commission.

**SECTION 9.** This act shall take effect on July 1, 2009.