

The mayor and city council shall appoint three persons to be members of the public works commission, whose terms of office shall expire on March first, nineteen hundred and fifty-six, March first, nineteen hundred and fifty-seven and March first, nineteen hundred and fifty-eight, respectively, and shall thereafter before March first in each year appoint one person to serve for three years as a member of said commission. The members of said commission shall hold office until their successors shall be chosen and qualified.

Vacancies may be filled by the mayor and council at any time, and removals may be made by them for cause. The persons so appointed shall constitute the public works commission of the city of Malden, and they shall receive such compensation as the city council shall determine. All the powers, duties, facilities, properties and appropriations vested by law or ordinances of the city in the park commission, board of survey, the street commission and the city forester shall vest in and be exercised and performed by the public works commission. The commission shall have the powers of the city council under section 14 of chapter 40 of the General Laws to purchase or take by eminent domain, under chapter 79 of the General Laws, any land, easement or right therein for the purpose of carrying out the commission's powers or duties. The commission shall set water and sewer rates and make determinations on applications for abatement of water and sewer bills. Upon the appointment and qualification of the public works commission, the street and water commission, the park commission, the board of survey and the office of the city forester shall be abolished. The commission shall have the care and management of shade and ornamental trees standing in or upon any of the public streets of the city, and shall have all the powers and privileges and be subject to the duties and obligations imposed upon city officials charged with the care of shade trees, under the provisions of chapter three hundred and sixty-three of the acts of the year nineteen hundred and ten, and may have the care and management of shade and ornamental trees standing in or upon public parks and other public grounds of the city, when so requested by the officers or boards charged by law with the care and control of the same. All of the powers now vested in the city council in respect to the laying out, accepting, widening, altering, locating anew, assessing betterments under chapter fifty-one of the Public Statutes, discontinuing or repairing any highway, town way or private way, and all the powers now vested in the mayor and council in respect to establishing, grading and constructing sidewalks, and completing partially constructed sidewalks, and making assessments upon the abutters upon such sidewalks, are hereby conferred upon and shall be exercised by the public works commissioners. Said public works commissioners are also authorized and empowered to lay out, alter, widen, locate anew, grade or discontinue any highway, and to assess betterments therefor under the provisions of chapter fifty-one of the Public Statutes and any amendments or additions thereto, except the provisions of sections nine, ten and fifteen of said chapter fifty-one. Applications for laying out, accepting, widening, altering, locating anew or discontinuing any highway, town way or private way, and for establishing and constructing sidewalks, may be made, and notice given and proceedings had thereon, in such manner and under such regulations as may

be prescribed in the ordinances of said city. The city of Malden shall, by ordinance, adopt provisions for the repair, maintenance or extension of the city's water, sewer and drainage facilities. All powers, duties, equipment and appropriations made for repair, maintenance or extension of the city's water, sewer and drainage systems shall vest in and be exercised by the officer charged by ordinance with the repair, maintenance and extension of water, sewer and drainage facilities.