

The Commonwealth of Massachusetts

EXECUTIVE OFFICE FOR
ADMINISTRATION AND FINANCE
STATE HOUSE, BOSTON 02133, May 23, 1972.

To the Honorable Senate and House of Representatives:

I submit herewith legislation entitled "An Act Authorizing the Commissioner of Public Health to Convey a Certain Parcel of Land in the Town of Tewksbury to Said Town".

The transfer of approximately ninety acres of land of the Commonwealth at Tewksbury Hospital to the Town of Tewksbury has been authorized by chapter 812 of the Acts of 1972. The bill filed herewith amends that prior authorization to provide that in consideration for the conveyance of the ninety acres, the Town of Tewksbury provide dumping rights, free of charge, for the Tewksbury State Hospital in perpetuity.

The Tewksbury Hospital has been disposing of its solid waste on a disposal site maintained and operated by the Hospital. This disposal site is located within the ninety acres to be transferred to the Town of Tewksbury. The transfer would, therefore, create a disposal problem for the Hospital. It is proposed, as a solution to this problem, that the Town of Tewksbury provide solid waste disposal services to the Hospital, free of charge to the Commonwealth, in return for the transfer of the parcel and the loss of the existing dumping ground. Since we are advised by counsel that such a condition could not legally be attached to the conveyance of the land itself, the accompanying legislation has been prepared to make the transfer conditional on the provision of such disposal rights.

I urge your prompt favorable action on this request.

Respectfully,

WILLIAM I. COWIN

Commissioner of Administration.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Three.

AN ACT AUTHORIZING THE COMMISSIONER OF PUBLIC HEALTH TO CONVEY CERTAIN LAND IN THE TOWN OF TEWKSBURY TO SAID TOWN FOR SCHOOL BUILDING PURPOSES.

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. The commissioner of public health, in the name
2 and on behalf of the commonwealth, is hereby authorized, sub-
3 ject to the approval of the governor, to convey to the town of
4 Tewksbury the following parcel of land located in said town,
5 bounded and described as follows: -

6 Westerly by land of Patten & Co., Inc., Gerald Gross, Town of
7 Tewksbury, John W. Strem and North Street; northerly by the
8 Boston & Maine Railroad; easterly by land of Ark Sing Yee and
9 the Tewksbury Rod & Gun Club; southerly by land of the
10 Tewksbury Cemetery Corporation. Containing ninety (90) acres,
11 plus or minus, as shown on a plan entitled "Study Plan of
12 Proposed School Site in Tewksbury, Mass.;" Scale 1" = 100',
13 November 1969, Emmons, Fleming & Bienvenu, Inc., Engineers
14 and Surveyors, Billerica, Massachusetts; on file in the office of
15 the Tewksbury Town Clerk.

1 SECTION 2. In consideration of the conveyance to the town
2 of Tewksbury of the land described in section one of this act the
3 town shall at all times after said conveyance make available to
4 the department of public health, without charge, the use of facili-
5 ties for the disposal of solid waste within said town for the
6 disposal of the solid waste materials of Tewksbury hospital. Said
7 land shall be used for school building purposes, and title to said
8 land shall revert to and revest in the commonwealth if said land
9 shall cease to be used for the purposes hereinbefore provided or

10 if the town fails or refuses to provide the department of public
11 health with the use of disposal facilities.

1 SECTION 3. Chapter 812 of the acts of 1972 is hereby re-
2 pealed.

