

protection but in any event within five years after the city of Fitchburg shall notify the town of Westminster that the city of Fitchburg has ceased to use such land for such purposes. Upon exercise of this option, title to said parcels shall, without consideration being paid therefor, vest in the inhabitants of the town of Westminster. This option shall terminate if not exercised within the aforesaid period.

**SECTION 4.** This act shall take effect upon its passage.

Approved January 8, 1992.

**Chapter 532. AN ACT RELATIVE TO REVOLVING FUNDS ESTABLISHED BY THE CITY OF FALL RIVER.**

*Be it enacted, etc., as follows:*

Notwithstanding the provisions of the second paragraph of section fifty-three E 1/2 of chapter forty-four of the General Laws, expenditures may be made from a revolving fund established by the city of Fall River, under authority of said section fifty-three E 1/2 during fiscal years nineteen hundred and ninety-two and nineteen hundred and ninety-three, for the purpose of paying any wages or salaries of city paramedics.

Approved January 8, 1992.

**Chapter 533. AN ACT ESTABLISHING THE GROTON COUNTRY CLUB AUTHORITY.**

*Be it enacted, etc., as follows:*

**SECTION 1.** There is hereby created a public body politic and corporate to be known as the Groton Country Club Authority hereinafter called the Authority which is constituted as a public instrumentality and the exercise by the Authority of the powers conferred by this act shall be deemed and held to be the performance of essential governmental functions.

**SECTION 2.** The Authority created herein is authorized to manage and operate directly or through contracts with third parties for the benefit of the inhabitants of the town of Groton the recreational facilities of the Groton Country Club owned by said town.

**SECTION 3.** The Authority shall consist of five members. One member shall be designated by a joint appointment of the recreation commission and the parks department of the town of Groton. Four members shall be appointed by the board of selectmen of said town. Of the members first appointed to the Authority by the board of selectmen two shall have three year terms, one shall have a two year term,

one shall have a one year term, and the Recreation/Parks appointee shall have a two year term. Upon the expiration of the term of any member, his or her successor shall be appointed for a term of three years. Every member shall be a resident of said town of Groton. Any member may be removed by the board of selectmen for misfeasance, malfeasance, or willful neglect of duty but only after reasonable notice and a public hearing unless the member expressly waives the same in writing.

**SECTION 4.** The members of the Authority shall annually elect a chairman, and vice chairman. The Authority shall annually appoint a clerk and a treasurer who may or may not be a member of the Authority. Three members of the Authority shall constitute a quorum and an affirmative vote of three members shall be necessary for any action taken by the Authority, except that a smaller number may adjourn any meeting to a specified time and place. No vacancy in the membership of the Authority shall impair the right of a quorum to exercise all the rights and perform all the duties of the Authority. The members of the Authority shall serve without compensation but shall be reimbursed for expenses necessarily incurred in the performance of their duties. No member or officer of the Authority shall be liable out of his or her own personal assets for any obligation or liability of the Authority. No member or officer of the Authority shall be liable to the Authority except for his own negligent or wrongful act or omission in bad faith.

**SECTION 5.** The Authority is hereby authorized and empowered:

(a) to adopt bylaws and rules, after a duly called public hearing, for the regulations of its affairs and the conduct of its business;

(b) to adopt an official seal;

(c) to sue and be sued, and to plead and be impleaded in its own name;

(d) to mandate, operate, maintain, repair, improve and expand the recreational facilities for the use of the public;

(e) to establish rules and regulations and fix policies, after a duly called public hearing, for the use of such recreational facilities;

(f) to fix from time to time, after a duly called public hearing, and charge and collect fees for admission to or membership in such recreational facilities or any part thereof. The Authority shall fix such fees as in its best judgment insure sufficient income to meet the expenses of the Authority;

(g) to provide through its employees, by contract, or by the grant of concessions, or by any combination thereof for the furnishing of services and things for the accommodation of persons admitted to and using the recreational facilities or any part thereof;

(h) to make all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act, to employ a general manager and such other employees and agents as may be necessary in its judgment, and to fix their compensation, and to do all acts and things necessary

or convenient to carry out the powers expressly granted in this act; provided that the provisions of chapter thirty-one of the General Laws shall not apply to any such employees.

**SECTION 6.** The Authority and all its personal property shall be exempt from taxation and from betterments and special assessments; and the Authority shall not be required to pay any tax, excise or assessment to or for the commonwealth or any of its political subdivisions. Notwithstanding the foregoing the Authority shall make payment in lieu of taxes to the town of Groton pursuant to section eight.

**SECTION 7.** The town of Groton may appropriate money for the capital or operating needs of the Authority by vote duly adopted at any annual or special town meeting and may authorize and issue its general obligation bonds or notes for any capital needs of the Authority in the manner set forth in chapter forty-four of the General Laws. Said town may contribute to the Authority any money or other property owned by it or acquired for such purpose pursuant to any authorization as aforesaid and in connection therewith may enter into any agreement with the Authority providing for payment or repayment by the Authority or establishing terms and conditions regarding the use of such money or property. The Authority shall not be authorized to issue bonds or notes for any purpose and shall not enter into any financing lease or other contractual arrangement which obligates it to make any payments other than from funds appropriated by said town or otherwise available to the Authority.

**SECTION 8.** The fiscal year for the Authority shall be the municipal fiscal year. An annual examination of the financial records of the Authority shall be conducted by an auditor selected by the board of selectmen or their designee.

Notwithstanding the provisions of section fifty-three of chapter forty-four of the General Laws or any other provision of law to the contrary, the Authority shall establish a separate operating account, a separate emergency reserve fund account, and a separate capital fund account. Such accounts shall be maintained by the treasurer. To meet the obligations set by the Authority, the treasurer shall invest the funds in such separate accounts in the manner authorized by sections fifty-five and fifty-five A of said chapter forty-four. Any interest earned thereon shall be credited to and become part of each such separate account. Except for inter-line or inter-account transfers, the Authority shall not expend funds except pursuant to an annual budget. Funds contributed by the town of Groton shall be expended only for the purposes for which such contribution was made.

At least thirty days prior to annual town meeting, after a public hearing thereon, the Authority shall adopt for submission to said town for approval at annual town meeting an annual budget including an estimate of income and interaccount transfers for the next ensuing fiscal year. If the budget shall include any request of income for operating expenses from said town, the budget shall, prior to town meeting, be presented to the finance committee of said town for review and

recommendation. If the budget shall include any capital expenditures to be contributed from said town from authorized bonds or notes or otherwise, the budget shall, prior to town meeting, be presented to the capital planning committee of said town as well as the finance committee for review and recommendation. No annual budget, or amendment or supplement thereto shall be effective until town meeting approval. If any required town meeting action is defeated the Authority shall forthwith prepare an amended budget for submission to a special town meeting called for the purpose. In the interim period without an approved budget the Authority may authorize expenditures for no more than the amount spent during the same month the year preceding except by consent of a majority vote of the board of selectmen.

Estimated income or revenue for the operating account shall include usage fees, membership fees, payments from lessees, deposits, interest, transfers from the emergency reserve account, and the surplus, if any, in the operating account for the current fiscal year. Estimated expenditures from the operating account shall include operating expenses, including the cost of maintenance and repair, payments to the town of Groton on account of capital or operating expense contributions, including bond principal and interest, payments in lieu of taxes, the loss, if any, from the operation of the facilities during the current year, and any proposed transfers from the operating account to the emergency reserve fund account or to the capital fund account.

In the case in which the expenditures from the operating account for a year exceed the revenue for the operating account for such year, the Authority shall take immediate steps to resolve the deficit, which steps may include, but are not limited to, reducing costs, increasing usage and membership fees, transferring interest income from the emergency reserve fund account and the capital fund account, transferring funds other than interest income from the emergency reserve fund account with the approval of the board of selectmen, and borrowing funds from said town following a majority vote of a special or an annual town meeting. No transfers shall be made from the operating account into the emergency reserve fund account or into the capital fund account in any subsequent year until such deficit has been resolved. In the case of funds borrowed from said town, the Authority shall pay interest to said town at the prevailing investment rate earned by said town. Said town may, by majority vote at annual town meeting, add a deficit of the Authority to the tax levy for the next fiscal year with or without a stipulation that the amount be repaid from future Authority income.

Estimated income for the emergency reserve fund account shall include transfers from the operating account, and all interest earned by the account. Estimated expenditures from the emergency reserve fund account shall be limited to transfers to the operating account to provide for extraordinary or unforeseen obligations incurred by the Authority in response to an emergency.

Estimated income for the capital fund account shall include transfers from the operating account, all interest earned by the account, and the proceeds of any notes or bonds issued by said town on behalf of the Authority. Expenditures from the capital fund account may be made only for capital improvements to, or renewals of, the physical facilities, with the exception of a transfer of interest income to help offset a deficit in the operating account.

In addition to the public hearings required with respect to the annual and any amended or supplemental budget, the Authority shall hold a public hearing at least thirty days prior to the establishment of any new, or modification of any existing, usage fees or membership fees that are assessed individual or corporate users of the recreational facilities. All public hearings required by this act shall be held in the town of Groton and notice for any such hearing shall be published in a newspaper of general circulation in said town and posted on the town clerk's bulletin board at least fourteen days prior to the date of the hearing.

At least by the third full year of operations, the Authority shall include in its annual estimate of expenditures from the operating account an amount to be paid to said town in lieu of taxes. Such amount shall be negotiated between the Authority and board of selectmen.

**SECTION 9.** Any provision of this act may be amended, as is not inconsistent with the General Laws, by majority vote at any annual or special town meeting.

**SECTION 10.** The provisions of this act shall expire three years from the effective date of this act unless such provisions are reaccepted by a majority vote at a special or annual town meeting. Reacceptance by the town of Groton as, aforesaid, must, therefore, occur every five years for the Authority to continue to be in existence. If said town does not reaccept the provisions of this act, the Authority shall dissolve and all assets of the Authority shall be transferred to said town.

**SECTION 11.** Upon the effective date of this act, all monies deposited to the credit of the Groton Country Club special revenue fund of the town of Groton shall forthwith be transferred to the Authority for deposit in accounts of the Authority.

**SECTION 12.** This act shall take effect upon its passage.

Approved January 8, 1992.

**Chapter 534. AN ACT RELATIVE TO THE HEALTH INSURANCE OF EMPLOYEES OF THE TOWN OF COHASSET.**

*Be it enacted, etc., as follows:*

The town of Cohasset is hereby authorized to pay the employee's portion of health insurance premiums from prior fiscal years to an amount not to exceed