
Chapter 14. AN ACT AUTHORIZING THE TOWN OF WINTHROP TO USE CERTAIN PARK AND RECREATION LAND FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of Winthrop is hereby authorized to use a certain parcel of land currently used for park and recreation purposes for the construction, maintenance and use of schools and educational facilities, facilities for athletics, community programs and activities, and for general recreational use. Ancillary uses of said parcel may include access, parking, support facilities and replacement park land. Said parcel is shown on a deed of the United States of America, acting by and through the Administrator of General Services dated August 10, 1967, and recorded in the Suffolk county registry of deeds in Book 8139, Page 299.

SECTION 2. This act shall take effect upon its passage.

Approved May 14, 1999.

Chapter 15. AN ACT RELATIVE TO THE SCHOOL COMMITTEE IN THE CITY OF MALDEN.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 24 of chapter 169 of the acts of 1881 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The school committee of the city of Malden shall hereafter consist of the mayor ex officio who shall be chairman, a person to be appointed by the mayor subject to the approval of the city council and five members to be elected by the qualified voters of said city.

SECTION 2. This act shall become inoperable at any time the city of Malden adopts a ward representative system for the election of school committee members.

SECTION 3. This act shall take effect upon its passage.

Approved May 14, 1999.

Chapter 16. AN ACT RELATIVE TO THE CONSTRUCTION AND FINANCING OF INFRASTRUCTURE AND OTHER IMPROVEMENTS IN THE TOWN OF FOXBOROUGH AND AT FOXBORO STADIUM.

Whereas, the deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the construction and financing of certain infrastructure and other improvements in the town of Foxborough at Foxboro stadium, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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Be it enacted, etc., as follows:

SECTION 1. The general court hereby finds and declares that: (a) the construction within the town of Foxborough of an open-air stadium of sufficient size and adequate support facilities to attract, retain and accommodate professional and amateur teams and large scale national and international athletic, concert, entertainment and similar events will significantly enhance the economic development and the general welfare of the commonwealth; (b) the continuation and expansion of such activities will stimulate hotel, restaurant, recreation, entertainment and retail sales activity in the economic development area in the commonwealth and in the town of Foxborough which will in turn promote the overall economic development of the commonwealth and enhance employment opportunities for its citizens; (c) the current open-air stadium located in the town of Foxborough is inadequate for the purposes for which it was designed and a new stadium is required to attract and retain those athletic, concert and entertainment events which will promote the economic health of the commonwealth and encourage further private development, including the development of other commercial facilities; (d) private industry is prepared to make a substantial additional investment to construct a new stadium in the town of Foxborough and to make significant commitments to continue the use of the newly constructed stadium as the home of professional football and soccer teams; and (e) the construction of a new stadium in the town of Foxborough and its use as a venue for professional sports and concert events also requires the acquisition, construction, development, modernization and improvement of substantial support facilities to the stadium, including roadways, pedestrian walkways and bridges, lighting and other utilities, water, wastewater and solid waste management facilities and similar improvements and the financing of such improvements by the town with the financial assistance of the commonwealth is in furtherance of a public purpose, will promote and enhance public safety and convenience and will provide an essential stimulus to the construction of the new stadium and related facilities for economic development by private industry and the economic development of communities adjacent to the stadium.

SECTION 2. (a) Except as otherwise provided in this act, the following words as used in this act shall, unless the context requires otherwise, have the meanings set forth in section 1 of chapter 40D of the General Laws:- "Bond", "Construction", "Cost of the project" and "cost", "Financing document", "Improvement", "Project", "Trust agreement" and "User".

(b) The following words as used in this act and in any sections of chapter 40D of the General Laws applicable to the powers of the town of Foxborough within the economic development area described in this act shall have the following meanings unless the context requires otherwise:-

"Authority", the Foxborough Industrial Development Financing Authority, established pursuant to section 2 of chapter 40D of the General Laws.

"Contract assistance", debt service costs paid by the commonwealth pursuant to section 8 for bonds issued by the authority, pursuant to section 7, used to finance infrastructure improvements as provided herein.

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"Developer", any one or more of Foxboro Realty Associates LLC, a limited liability company organized under the laws of the state of Delaware or Foxboro Stadium Associates Limited Partnership, a limited partnership organized under the laws of the state of Delaware, or any designee thereof or any successor to or assignee or designee of any of the foregoing. The developer shall be deemed to be a user of any infrastructure improvements within the economic development area for purposes of chapter 40D of the General Laws.

"Economic development area", the area within the town of Foxborough consisting of approximately 325 acres shown on a plan entitled ALTA/ACSM Land Title Survey, Foxboro Stadium and Raceway, Foxborough, Mass. dated December 1, 1992, updated November 22, 1994, by Harry R. Feldman, Inc., 112 Shawmut Avenue, Boston, Massachusetts, recorded with the Norfolk county registry of deeds and all interests, rights and easements appertaining thereto and all buildings, structures and other improvements thereon. The economic development area shall not include the site of the stadium as herein described and the stadium or portion thereof and their buildings, structures and improvements thereon but shall include the site of the existing stadium upon its conveyance by the town to the developer.

"Infrastructure improvements", the planning, design, development, construction, improvement, grading and site preparation, the demolition, removal or relocation of buildings, structures, fixtures or equipment or any combination of the foregoing included in the memorandum as defined herein, and limited to and, as necessary, adjacent to the economic development area, which are intended to promote the public safety and convenience. Infrastructure improvements shall be approved by the secretary of administration and finance. Infrastructure improvements shall include construction of an inner ring road, an outer ring road, internal access roads, storm drainage, retaining walls, utility and sewerage improvements, management and treatment facilities, wastewater collection, traffic controls and signals, lighting, sign barriers, restoration of paved parking areas, pedestrian enhancements including, but not limited to, bridges, underpasses and walkways, a South Bridge, so-called, over state highway route 1, a North Bridge, so-called, over state highway route 1 and a bypass to North street; provided, further, that sidewalks and curbing shall be constructed in the town of Walpole along the west side of state highway route 1 to provide for the public safety of persons walking to the stadium from parking lots located in Walpole. The town of Walpole and the department of highways may acquire, receive or accept any easements that may be necessary to complete the foregoing; provided, further, that the infrastructure improvements provided for in clause (1) of subsection (a) of section 4 and financed by the authority within the economic development area that are undertaken by the developer as essential infrastructure improvements pursuant to sections 3 and 4 shall not exceed \$42,000,000. The infrastructure improvements within the economic development area to promote the public health and safety and financed by the authority pursuant to the contract authorized by section 3 and defined in clause (2) of said subsection (a) of said section 4 shall not exceed \$14,000,000. The infrastructure improvements financed by the

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authority that are undertaken by the department of highways or other suggested improvements, pursuant to subsection (c) of said section 4 shall not exceed \$14,000,000. Infrastructure improvements shall not include the removal or relocation of manufactured homes as provided for in section 10. For the purposes of this act, the term "project" as used in chapter 40D of the General Laws shall include infrastructure improvements and the stadium and any training facilities, practice fields and other facilities ancillary thereto.

"Memorandum", the memorandum prepared by Rizzo Associates, filed with the secretary of administration and finance pursuant to section 6 and dated April 28, 1999, regarding infrastructure requirements for Foxboro stadium and distinguishing essential infrastructure improvement to be undertaken by the developer and other suggested improvements to be undertaken by the department of highways, as the memorandum may be amended from time to time and approved by the authority and the secretary of administration and finance.

"Parking and traffic management zone", the area within the towns of Foxborough, Sharon, Walpole and Wrentham within a three mile radius of the center of the stadium as defined herein, which shall include all parking spaces licensed by the town of Foxborough for stadium related events.

"Revenues", receipts, fees, charges, surcharges, rentals or other payments or income received or to be received on account of obligations to the town under a financing document pertaining to the economic development area or to any infrastructure improvements, including proceeds of bonds and loans issued or made by the town in connection with any of the foregoing, amounts in reserve or held in funds and accounts established in connection with the issuance of such bonds and the proceeds of investments thereof, and payments to the town from the commonwealth pursuant to section 8 to the extent provided in section 7.

"Stadium", the stadium to be constructed pursuant to section 11.

"Stadium lessee", Foxboro Stadium Associates Limited Partnership, a limited partnership organized under the laws of the state of Delaware or any designee thereof, or any lessee or licensee therefrom of all or any part of the stadium or the use thereof or any successor to or assignee or designee of any of the foregoing. The stadium lessee shall be deemed to be a user of the stadium for the purposes of chapter 40D of the General Laws.

"Town", the town of Foxborough.

SECTION 3. (a) In addition to the powers granted in chapter 40D of the General Laws and subject to the easement granted by the developer to the town of Foxborough herein, the town, acting by and through the authority, may contract with the developer to undertake any and all infrastructure improvements in the economic development area or as otherwise allowed by this act which will promote the public safety and convenience. The town shall have all of the powers and the immunities, consistent with this act, granted to the Massachusetts Development Finance Agency under clauses (5), (6), (16), (17) and (20) of subsection (a) of section 3 of chapter 23G of the General Laws or otherwise granted to the town or the authority under said chapter 40D. No contract pursuant to this section shall take effect until the secretary of administration and finance has approved it in writing.

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(b) The developer shall grant to the town, acting by and through the authority, an easement in perpetuity for the purpose of making any and all infrastructure improvements in the economic development area, as such are defined in section 2, and authorized by this act and for such other public purposes as may be provided for by law. Any such improvements are hereby declared to be in the furtherance of a public purpose to promote the public safety and convenience. The easement shall be approved as to form by the attorney general and shall contain such terms and conditions necessary to comply with all laws and in furtherance of the provisions of this act. No easement shall be valid until the secretary of administration and finance has approved it in writing.

(c) The sole consideration for such easement shall be the financing of such infrastructure improvements within the economic development area by the town with the financial assistance of the commonwealth as such improvements are in the furtherance of a public purpose and will promote and enhance public safety and convenience.

(d) Notwithstanding the provisions of chapter 40D of the General Laws or any other general or special law to the contrary, the developer shall be solely responsible for all costs and expenses of holding, operating and maintaining all lands and other properties within the economic development area, including the maintenance and repair of infrastructure improvements made thereon pursuant to the provisions of this act and including all taxes payable with respect thereto or on the developer's operations on such lands and other properties and, except for the costs of infrastructure improvements payable by the authority as provided in this act, for all costs of developing and improving such lands and other properties. Except as otherwise provided herein, the developer shall be entitled to receive, hold and expend all income and other receipts derived by it from its interest in the lands and other properties included within the economic development area. The town may enter into agreements with the developer or stadium lessee for payments in lieu of taxes for the portion of the economic development area on which the stadium is constructed, which agreements shall be binding on the town and such other parties for the full term of such leases. The developer may mortgage, sell, lease or otherwise encumber or dispose of all or part of the economic development area subject to the easement granted to the town herein. All other real and personal property within the economic development area shall be taxed by the town as provided in section 20 of said chapter 40D but, upon the vote of the board of selectmen of the town, all or any portion of such property may be taxed by the town as provided in section 10 of chapter 121A of the General Laws as if the developer or any lessee there from were a corporation described in said chapter organized on such date as the board of selectmen shall approve.

(e) All actions taken by the authority pursuant to this act shall be subject to the general supervision and direction of the secretary of administration and finance.

SECTION 4. (a) The contract authorized pursuant to section 3 between the town and the developer shall provide that the developer shall be solely responsible for the planning, design, construction and installation of infrastructure improvements made on the property of the developer and for their ongoing maintenance and operation upon their completion.

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The authority, with the approval of the board of selectmen and without further authorization or appropriation by the town, shall reimburse the developer as follows: (1) for all costs of infrastructure improvements, including utility relocation or construction, within the economic development area, except such improvements described herein, up to an aggregate amount not to exceed \$42,000,000 and as described in the memorandum; and (2) for the costs of infrastructure improvements within the economic development area relating to public health and safety, specifically wastewater, storm drains, utilities, lighting, pedestrian corridors and roadway and pedestrian bridges, which promote and enhance public safety and convenience and described in the memorandum up to an aggregate amount of \$14,000,000. The infrastructure improvements provided herein shall be subject to such terms and conditions as shall be approved by the secretary of administration and finance pursuant to section 6. Neither the commonwealth nor the town, acting by and through the authority, shall be responsible for any costs including, but not limited to, infrastructure improvements, that exceed the amounts authorized in this subsection. If the cost of infrastructure improvements within the economic development area exceeds the amounts specified in this subsection, such additional costs, if any, shall be paid solely by the developer.

(b) Notwithstanding the definition of infrastructure improvements, the contract may allow the expenditure of a portion of the amounts provided for in clause (1) of subsection (a) for infrastructure improvements that necessarily impinge upon or connect to the stadium or to areas adjacent to the economic development area, to promote and enhance public safety and convenience to the extent necessary to achieve the purposes of this act.

(c) The town shall enter into an agreement that provides for reimbursement by the authority to the department of highways for infrastructure improvements located outside the economic development area on state highway route 1 and adjacent thereto that shall not exceed \$14,000,000 and described as other suggested improvements in the memorandum.

The department of highways, after consultation with the developer and the authority, shall construct off-site infrastructure improvements to promote and enhance public safety and convenience along state highway route 1 within the scope of the memorandum and subject to said agreement.

SECTION 5. Notwithstanding the provisions of any general or special law to the contrary, the provisions of section 39M of chapter 30, chapter 30B, sections 44A to 44M, inclusive, of chapter 149 of the General Laws and any other general or special law, regulation or ordinance or by-law providing for the advertising, bidding or awarding of contracts, for design or construction or for improvements to property shall not apply to the economic development area or to the construction by the developer or stadium lessee of any infrastructure improvements or the stadium in accordance with this act. The developer or stadium lessee shall make good faith efforts in undertaking the infrastructure improvements and stadium construction to hire Massachusetts firms and residents. Notwithstanding the foregoing, infrastructure improvements undertaken by the department of highways pursuant to subsection (c) of section 4 shall not be exempt from the provisions of said section 39M of said chapter 30, said chapter 30B, said sections 44A to 44M, inclusive, of said chapter 149

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or any other general or special law, regulation or ordinance or by-law providing for the advertising, bidding or awarding of contracts, for design or construction or for improvements to property.

SECTION 6. Notwithstanding any provision of this act to the contrary, the town, acting by and through the authority, shall not pay or finance any costs of the infrastructure improvements or issue any bonds therefor as provided in section 7, until: (1) the developer shall have filed the memorandum not later than 30 days after the effective date of this act with the secretary of administration and finance, the house and senate committees on ways and means and the board of selectmen of the town of Foxborough; (2) the developer shall have submitted design drawings for such infrastructure improvements consistent with the plans which have been approved by the town and the secretary of administration and finance and which have been incorporated into the contract authorized by section 3; (3) the stadium lessee shall have submitted plans to construct a privately financed stadium with an estimated cost of \$225,000,000, to the secretary of administration and finance, pursuant to section 11; (4) the stadium lessee, the owner of the professional football team conducting business at the stadium and the National Football League or other appropriate party and their successors and assigns in interest shall enter into a contract with the commonwealth as such is so approved and certified by the attorney general under terms and conditions approved by said attorney general, including joint and several liability for each party to the contract, to hold and maintain the stadium for the purpose, among others, of conducting therein the business of a professional football team which is a member of the National Football League. If the stadium lessee should cease to conduct professional football business at the stadium, the stadium lessee, as of the date professional football ceases at the stadium, shall, if the date that the conduct of professional football ceases is: (a) less than five years after the effective date of this act, be obligated to pay to the commonwealth an amount equal to any outstanding debt on the infrastructure bonds issued pursuant to section 7 and an amount equal to 100 per cent of the commonwealth's contract assistance payments made as of said date; (b) five or more years but less than ten years after the effective date of this act, be obligated to pay to the commonwealth an amount equal to any outstanding debt on the infrastructure bonds issued pursuant to said section 7 and an amount equal to 75 per cent of the commonwealth's contract assistance payments made as of said date; (c) ten or more years but less than 15 years after the effective date of this act, be obligated to pay to the commonwealth an amount equal to any outstanding debt on the infrastructure bonds issued pursuant to said section 7 and an amount equal to 50 per cent of the commonwealth's contract assistance payments made as of said date; (d) 15 or more years but less than 20 years after the effective date of this act, be obligated to pay to the commonwealth an amount equal to any outstanding debt on the infrastructure bonds issued pursuant to said section 7 and an amount equal to 25 per cent of the commonwealth's contract assistance payments made as of said date; and (e) 20 years or more after the effective date of this act, be obligated to pay to the commonwealth an amount equal to any outstanding debt on the infrastructure bonds issued pursuant to said section 7, but the amount of any administrative parking fee instituted within the economic development

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area pursuant to subsection (b) of said section 7 shall be deducted from the amount of any contract assistance reimbursement owed by the stadium lessee for the purpose of clauses (a) to (e), inclusive. The payments provided pursuant to such contract shall constitute liquidated damages for any breach of such contract and neither the commonwealth nor the authority shall be entitled to any other damages or to injunctive relief for such breach or for a breach of any similar term of any lease; and (5) the town makes all necessary provisions for a road providing vehicular access and egress between the economic development area and North street in the town of Foxborough.

Satisfaction of the conditions provided in this section shall be conclusively evidenced by a certificate of the secretary of administration and finance, which shall describe in detail how each such condition has been satisfied and shall include copies of the infrastructure and stadium improvement plans, which shall be filed with the governor and the house and senate committees on ways and means immediately upon the approval of said secretary.

SECTION 7. (a) In addition to the powers provided in chapter 40D of the General Laws, the town, acting by and through the authority, may borrow money and issue and secure its bonds for not more than 25 years as provided in this act and in said chapter 40D of the General Laws for the purpose of financing costs of infrastructure improvements as provided in section 4.

(b) (1) In addition to the provisions of said chapter 40D pertaining to the security of bonds issued thereunder, bonds issued by the town, pursuant to this section may be secured by a pledge of any revenues of the town received or to be received on account of obligations to the town under any financing document, agreed to between the town and the stadium lessee and certified by the secretary of administration and finance covering infrastructure improvements or stadium improvements financed by such bonds. Any such financing document shall include covenants by the town or the stadium lessee or other user of the project for the provision of revenues sufficient to pay the debt service on the bonds issued therefor.

(2) Notwithstanding any provision of this act to the contrary, an administrative fee shall be charged to all parking spaces licensed by the appropriate town within the parking and traffic management zone, which shall be collected by the towns of Sharon, Walpole and Wrentham and the authority and returned to the commonwealth for deposit in the general fund. The towns of Sharon, Walpole and Wrentham and the authority shall have all powers necessary to collect such fees in said towns located within the parking and traffic management zone. The department of state police shall have authority to enforce the licensing requirements for open-air parking spaces pursuant to section 56 of chapter 148 of the General Laws. The annual aggregate amount of the administrative fee to be collected from such parking spaces shall be determined annually by the secretary of administration and finance in an amount sufficient to collect annually an aggregate amount of \$750,000 from the administrative fee for parking spaces within the economic development area and an aggregate amount of \$400,000 from the administrative fee for parking spaces outside the economic development area.

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(3) The stadium lessee shall annually pay an administrative fee of \$250,000 to the commonwealth for deposit in the general fund and such fee may be collected through the procedures provided by chapter 62C of the General Laws. The administrative fee shall be paid only after the commonwealth begins to provide contract assistance under section 8 and only until 25 years thereafter or for the term of the bonds issued under subsection (a), whichever period is shorter.

(c) The secretary of administration and finance shall determine the amount of the annual contract assistance due pursuant to section 8 and the amount shall be included as a separate item in the budget filed by the governor pursuant to Section 2 of Article LXIII of the Amendments to the Constitution. Said secretary shall report annually to the house and senate committees on ways and means the extent to which revenues, including the administrative fee authorized herein, offset said annual contract assistance payment in the preceding fiscal year. Said secretary shall certify to the state treasurer a projection of the revenue from administrative parking fees instituted pursuant to subsection (b) to be remitted by the towns of Sharon, Walpole and Wrentham and the authority to the commonwealth each year.

(d) Bonds issued under authority of this section may be issued under and secured by a trust agreement or a financing document with such terms and conditions as the authority may determine in accordance with this act and chapter 40D of the General Laws. Notwithstanding the foregoing, revenues paid to the authority from the commonwealth as provided in section 8 shall be applied solely to the payment of and security for bonds issued for the purposes described in subsection (a) in accordance with the agreement therefor between the town and the commonwealth and shall not exceed the amount necessary for debt service payments on the bonds issued for said infrastructure improvements pursuant to said subsection (a).

(e) Bonds issued by the town, acting by and through the authority, under authority of this act for the purposes of said subsection (a) shall not constitute a debt or a pledge of the faith and credit of the town or the commonwealth but shall be payable solely from contract assistance pursuant to section 8. All bonds issued by the town, acting by and through the authority, shall state that the bonds are not a general obligation of the town or an obligation of the commonwealth but are payable solely from the funds specifically pledged for their payment.

(f) Notwithstanding the provisions of any general or special law to the contrary, the provisions of section 12 of chapter 40D of the General Laws shall not apply to bonds issued under authority of this act for the purposes specified in subsection (a). No such bonds of any series shall be issued by the town, acting by and through the authority, unless the issuance of such bonds and the financing documents and trust agreement, if any, therefor shall have been approved by the board of selectmen of the town and the secretary of administration and finance.

(g) Except as expressly provided in this act, nothing in this act shall be construed to limit or otherwise diminish the power of the town, acting by and through the authority, to finance costs of projects described in chapter 40D of the General Laws within the economic

development area or on the site of the stadium upon compliance with the provisions of said chapter 40D.

SECTION 8. The state treasurer, acting on behalf of the commonwealth, shall enter into an agreement with the town providing that the commonwealth shall provide contract assistance for debt service obligations of the town for a period of not more than 25 years in amounts sufficient to defray debt service costs associated with up to \$70,000,000 in principal amount of bonds of the town issued pursuant to subsection (a) of section 7 for the purpose of making infrastructure improvements as provided in section 4. Such contract assistance agreement shall provide for the payment by the commonwealth of debt service obligations of the town at such times during each fiscal year and upon such terms and under such conditions as the agreement, with the approval of the secretary of administration and finance, shall stipulate. The amount of said contract assistance in any year shall be reduced by the amount that the authority shall be obligated to pay but fails to pay in the previous year under paragraph (2) of subsection (b) of section 7. The town may pledge such agreement and the rights of the town to receive amounts thereunder as security for the payment of bonds issued by the town for such purposes. Such contract assistance agreement shall constitute a general obligation of the commonwealth for which the full faith and credit of the commonwealth shall be pledged for the benefit of the town.

SECTION 9. For the purposes of public safety and convenience, the developer, subject to the approval of the town, the department of highways and the department of state police, shall develop and implement a parking and traffic management plan within the parking and traffic management zone. The purposes of the plan shall be to improve the efficiency of traffic flow before, during and after stadium events by: (1) expediting the flow of traffic from satellite and stadium parking lots onto state highway route 1 or feeder roads; (2) expediting the flow of traffic from state highway route 1 and feeder roads to north and south egress points including, but not limited to, interstate highway routes 95 and 495; and (3) increasing public safety throughout the zone and the adjacent areas by segregating pedestrian and vehicular traffic. The plan shall be based upon an analysis that shall consider at least the following: (1) traffic flow patterns on stadium event days including, but not limited to, travel time from all parking lots within the zone to state highway route 1 and egress points; (2) a comparison of the actual current travel times to the estimated travel times after infrastructure improvements detailed in this act have been completed; (3) all town and state laws, ordinances, rules, regulations or by-laws, governing the licensing and use of parking within the zone; (4) any recommendations necessary to effectuate the orderly and cost-effective management of parking and traffic within said zone including, but not limited to, restricted access to state highway route 1 or feeder roads and controls on the directional flows of traffic on roads within said zone; and (5) recommendations for future improvements to parking, roads or rail stations that would complement or enhance the improvements detailed in this act. The town may adopt said recommendations, in agreement with said department of highways and the department of state police, without additional approval or

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appropriation of the legislature. The plan shall be submitted to the secretary of administration and finance, the house and senate committees on transportation and the house and senate committees on ways and means no later than one year after the opening of the stadium.

SECTION 10. Notwithstanding any provision of sections 32F to 32S of chapter 140 of the General Laws or any other general or special law to the contrary, the developer may relocate any manufactured home and any other building, structure, fixture and equipment used in connection therewith, held or occupied by any person under a tenancy at will or other tenancy, however created, on any real property within the economic development area to another site within or adjacent to the economic development area or another suitable site licensed for a manufactured housing community under section 32B of said chapter 140 and may terminate such tenancy and any other right of a person to hold possession of or occupy such real property, upon not less than 180 days' written notice to the resident of such manufactured home and satisfaction of such other conditions as the board of health of the town may prescribe. The developer shall pay to any tenant so relocated, at the tenant's election, either (a) his actual relocation costs, which shall include the cost of disconnecting and moving the home to a new community, selected by the tenant, within a 100-mile radius of the current location, reconnecting the home with all the hookups so that it is substantially in the same condition as before the move and with any existing appurtenances and the reasonable costs of suitable lodging until said move and installation are completed; or (b) the appraised value of the tenant's manufactured home, which shall be the full and fair market value of the home and any existing appurtenances, but excluding the value of the underlying land, as determined by an independent appraiser agreed to by the developer and the tenant. The provisions of subsections (7A), (8) and (9) of section 32L of said chapter 140 and the provisions of section 32R of said chapter 140 shall not apply to a manufactured home of manufactured homes located in the economic development area. A committee consisting of a representative of the local board of health, the local board of selectmen and the department of housing and community development shall be formed to assist manufactured housing community residents who are affected by this section. Said assistance shall include issues regarding relocation and damages resulting therefrom.

SECTION 11. The stadium lessee shall agree with the authority and the commonwealth, acting through the secretary of administration and finance, to construct a privately-financed stadium within the economic development area which is estimated to cost \$225,000,000.

SECTION 12. Notwithstanding the provisions of any general or special law to the contrary, the developer or stadium lessee may elect to convey the wastewater from the stadium and from the economic development area in the town of Foxborough for treatment to the town of Walpole within the Massachusetts Water Resources district at a rate to be agreed upon between the developer or stadium lessee and the Massachusetts Water Resources Authority. For this purpose, the developer or stadium lessee shall provide for the installation of a sufficient sewer line as an infrastructure improvement pursuant to section 4.

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Said town of Foxborough, subject to approval by the department of environmental protection, may require that the sewer line be of a larger capacity and that businesses which abut the sewer line in the town may connect to the sewer line at their own expense but the town of Foxborough shall pay the additional cost of such requirements as determined by the secretary of administration and finance. Said Massachusetts Water Resources Authority shall supervise and approve all aspects of the installation of the sewer line and shall establish rates for such business connections and insure that there are no adverse financial consequences for ratepayers in said town of Walpole.

SECTION 13. The developer and the stadium lessee shall prepare or cause to be prepared an environmental impact report regarding the stadium and infrastructure improvements required by this act. The environmental impact report shall be prepared jointly on behalf of the developer, stadium lessee, authority, department of highways and any other person or agency involved in the development work and infrastructure improvements. The environmental impact report shall be prepared in accordance with the provisions of section 62B of chapter 30 of the General Laws and, notwithstanding the provisions of any general or special law to the contrary, the secretary of environmental affairs shall require the developer and stadium lessee to prepare the report as a final environmental impact report without any prior draft thereof. The scope of the final environmental impact report shall be based upon the submission of an expanded environmental notification form by the developer and the comments of said secretary made not later than 30 days after the submission of the expanded environmental notification form. Said secretary's comments shall determine the form, content, level of detail and alternatives required for the report. Notwithstanding the provisions of sections 62 to 62H, inclusive, of said chapter 30, the authority and other persons and agencies may take all actions including, but not limited to, expenditure of funds pursuant to this act which are necessary appropriate or required for acquisition of easement interests within the economic development area as provided in this act prior to the publication of the final environmental impact report pursuant to this act and section 62C of said chapter 30.

Approved May 24, 1999.

Chapter 17. AN ACT AUTHORIZING THE DIVISION OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE TO GRANT A CONVEYANCE OF CERTAIN LAND IN THE CITY OF MEDFORD.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the division of capital asset management and maintenance to convey a certain parcel of land in the city of Medford, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows: