

---

**Chapter 264. AN ACT ESTABLISHING A SICK LEAVE BANK FOR DAVID CATANZARO, AN EMPLOYEE OF THE TRIAL COURT.**

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the trial court department, 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:*

Notwithstanding any general or special law or rule or regulation to the contrary, the trial court shall establish a sick leave bank for David Catanzaro, an employee of the trial court. Any employee of the trial court may voluntarily contribute 1 or more sick, personal or vacation days to the sick leave bank for use by David Catanzaro. Whenever David Catanzaro terminates employment with the trial court or requests to dissolve the sick leave bank, any remaining time in the sick leave bank shall be transferred to the trial court paid sick leave bank. Sick leave bank days may not be used for absences unrelated to the illness or disability that necessitated the establishment of the sick leave bank as determined by the trial court department.

Approved August 6, 2008.

**Chapter 265. AN ACT RELATIVE TO THE NORTH RAYNHAM WATER DISTRICT.**

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

**SECTION 1.** The North Raynham Water District, acting by and through its commissioners, may transfer property located on Broadway in the town of Raynham, containing approximately 1.45 acres of land to Prospect Leasing, Inc. The parcel is shown as Parcel B on a plan entitled "Plan of Land in Raynham, Massachusetts" prepared by Hayward-Boynnton & Williams Inc. Civil Engineers dated March 14, 2007. In consideration and exchange for this conveyance, Prospect Leasing, Inc. shall transfer land comprising approximately 1.746 acres, along with a 20 foot wide water access easement shown on the aforementioned plan to the North Raynham Water District for water supply purposes.

The fair market value of the 1.746 acre parcel shall be equal or greater than the fair market value of the 1.45 acre parcel described above, as determined by an independent appraisal. For the purposes of these appraisals, the fair market value of the 1.746 acre parcel shall be calculated in its highest and best use. If there is a disparity in these values in favor of the North Raynham Water District, Prospect Leasing Inc will pay a sum equal to the difference to the North Raynham Water District for deposit in its water supply land conservation fund or otherwise dedicated to preservation of water supply land.

---

**Chap. 265**

**SECTION 2.** A document, including a deed, transferring the care, custody, control, ownership or management of the 1.746 acre parcel shall not be valid unless the document contains a conservation restriction stating that it will be used for water supply purposes by the water district.

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

Approved August 6, 2008.

**Chapter 266. AN ACT AUTHORIZING THE DIVISION OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE TO GRANT A SEWER EASEMENT IN CERTAIN LAND IN THE TOWN OF BELCHERTOWN.**

*Whereas,* The deferred operation of this act would tend to defeat its purpose, which is forthwith to authorize the division of capital asset management and maintenance to convey a parcel of land to the town of Belchertown for the purpose of installing and constructing sanitary sewer facilities, 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:*

**SECTION 1.** Notwithstanding sections 40E to 40J, inclusive, of chapter 7 of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance may convey to the town of Belchertown a non-exclusive easement interest in a portion of a parcel of state-owned land located on George Hannon street and Jackson street in the town of Belchertown. The parcel contains 49,932 square feet or 1.146 acres and is shown as "Sewer Easement S-1" on a survey plan consisting of 1 sheet, entitled "Plan of Land in Belchertown, MA prepared for the Town of Belchertown Commonwealth of Massachusetts (Owner)", dated November 7, 2006, prepared by Sherman & Frydryk, Land Surveying and Engineering, 3 Converse Street, Suite 203, Palmer, MA 01069. To mitigate the impact of the conveyance on farmland, the town shall pay the full and fair market value of this easement, as determined by an independent appraisal, to The Commonwealth of Massachusetts, Department of Agricultural Resources, Mitigation Expendable Trust. The department of agricultural resources shall use the payment for this easement for the acquisition or renovation of farmland near the site of the easement as practicable.

**SECTION 2.** The grantees of the easement interest described in section 1 shall assume the costs associated with any engineering, surveys, deed preparation and other expenses deemed necessary by the commissioner of capital asset management and maintenance and shall assume the costs of recording the survey plan and easement deed with the registry of deeds for Hampshire county.

Approved August 6, 2008.