

the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semiannually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and ninety. All interest payments and payments on account of principal on such obligations shall be part of the debt and expenses of the metropolitan water district.

SECTION 5. This act shall take effect upon its passage.

Approved July 9, 1968.

Chap. 522. AN ACT RELATIVE TO THE CONSTRUCTION OF CERTAIN MAIN AND PARTICULAR SEWERS IN THE SOUTHEAST SECTION OF THE CITY OF MELROSE.

Be it enacted, etc., as follows:

SECTION 1. The city of Melrose, acting through its board of aldermen, is hereby authorized to assess upon the owners of estates which derive particular benefit or advantage from any system of main drains and common sewers which may be constructed by said city, with or without the aid of federal funds, in that portion of the southeast section of said city shown on a plan entitled "Plan Showing Proposed Sewer Extensions and Areas to be Sewered in Southeast Section of Melrose, Mass., dated May 1, 1968, George R. Winters, Engineer and Superintendent of Public Works, Melrose, Mass.," sums equal, in the aggregate, to not more than one half of so much of the cost of such construction as is paid by said city from funds other than those made available by the federal government, at a fixed uniform rate according to both frontage and area, as authorized by section fifteen of chapter eighty-three of the General Laws, any provision of any general or special law or of any ordinance of said city to the contrary notwithstanding.

SECTION 2. The aldermen may, from time to time, by order authorize the construction of any portion of the system of main drains and common sewers referred to in section one and may state in such order that betterments are to be assessed therefor upon the several estates embraced in the area included in the plan referred to in said section one, or such portion thereof, as they deem will receive benefit or advantage therefrom, other than the general advantage to the community. An order under this section which states that betterments are to be assessed shall contain a description sufficiently accurate for identification of the area which it is expected will receive such benefit or advantage, and shall refer to a plan of such area and shall contain a schedule of all the estates affected thereby. Such order, plan and schedule shall be recorded within thirty days from the adoption of the order in the Middlesex South District Registry of Deeds.

SECTION 3. Subject to the provisions of section two, the aldermen may order the construction of a pumping station, trunk sewer and other works essential to the disposal of sewage from the entire area embraced in the plan referred to in section one and take by eminent domain under chapter seventy-nine of the General Laws or authorize the purchase of land, water rights, rights of way or easements necessary therefor and may assess betterments therefor in the manner hereinbefore provided.

The engineer and superintendent of public works shall keep an accurate account of the cost of such construction, including damages or amounts paid for such takings or purchases, and shall, forthwith following the completion thereof, prepare and record in a book kept for the purpose schedules showing the amounts which may be assessed, subject to the provisions of section one, upon the several estates in such area in the proportion in which they will receive particular benefit or advantage therefrom.

SECTION 4. Whenever a sewer, other than a particular sewer, constructed in such area into which any estates embraced therein may be directly drained is completed, the engineer and superintendent of public works shall forthwith determine the cost thereof and the amounts which may be assessed, in the manner provided by section one, upon the several estates which will receive particular benefit or advantage therefrom, and shall add thereto such amounts included in the schedules referred to in section three as relate to such estates. He shall certify such amounts to the board of aldermen and said board shall forthwith assess the same upon such estates. Notwithstanding the provisions of section twelve of chapter eighty of the General Laws, liens for assessments under this section shall take effect forthwith following certification thereof by the aldermen to the assessors.

SECTION 5. Any provision of general or special law, or of any ordinance of the city of Melrose, to the contrary notwithstanding, in connection with any hearing required to be held prior to the passage of an order authorizing the construction of a sewer under this act, the preparation of a schedule of estimated betterments for the information of owners of estates affected thereby shall not be required.

SECTION 6. Assessments under section one shall be levied and collected in accordance with the provisions of chapter eighty-three of the General Laws; provided, that such assessments shall bear interest from the thirtieth day after the assessments have been committed to the collector at a rate not more than one per cent in excess of the rate which said city shall pay for any loan incurred for the purposes of said sewerage system, and that in no event shall such assessments bear interest at a rate of more than four per cent; and, provided further, that the maximum number of portions into which the assessments may be apportioned under section thirteen of chapter eighty of the General Laws shall be twenty. Interest on any amount of such assessments remaining unpaid shall be computed in the manner hereinbefore provided.

SECTION 7. The time of the payment of assessments made under this act may be extended as provided in section nineteen of said chapter eighty-three; provided, that whenever the time for the payment of any assessment is so extended for a definite period and the land to which such assessment relates is not built upon at the expiration of such time, the time may be further extended as determined by the board of aldermen. If the time for payment of assessments is so extended, no demand for payment thereof shall be made by the collector within six months after the termination of such definite period or after such land is built upon, whichever occurs first, and within said six months the assessments may be apportioned under said section thirteen of chapter eighty of the General Laws, as affected by section six of this act.

SECTION 8. If land which is subject to a lien for an assessment made under this act is subsequently divided by sale, mortgage, partition or

otherwise and such division has been duly recorded in the registry of deeds, the assessors, before the land has been advertised for sale for nonpayment of the assessment, may, or, upon written request of the owner or mortgagee of a portion thereof, accompanied by a plan sufficient for the identification of the division of the whole estate, with the names of the different owners thereof, shall, divide said assessment or the amount thereof remaining unpaid, and the costs and interest accrued thereon, among the several parcels into which the land has been divided, assessing upon each parcel the part of the original assessment remaining unpaid proportionate to the special benefit received by such parcel from the improvement. After such assessment has been so divided, only the part of the assessment, interest and costs assessed upon each parcel shall constitute a lien upon such parcel. At least seven days prior to making such division the assessors shall send by registered mail to all owners of any interest in the land assessed, whose addresses are known to them, a notice of their intention to make such division and of the time appointed therefor, unless such notice has been waived. A person aggrieved by any action of the assessors under this section shall have the same remedy as a person aggrieved by the refusal of the mayor and aldermen to abate an assessment.

SECTION 9. The city of Melrose, acting through its engineer and superintendent of public works, may, upon application of the owner of any estate abutting on any way where a sewer is constructed in the southeast section of said city referred to in section one of this act, lay in such sewer way and in the private land of such owner such particular sewer or connecting drain as may be necessary to connect any building on such estate with such main drain or sewer, and said officer may make all necessary contracts in the name of and in behalf of said city for such purpose. The expense thereof shall be paid out of any appropriation that may be made by the board of aldermen therefor.

SECTION 10. The cost of constructing each particular sewer or connecting drain shall be assessed by the said engineer and superintendent of public works upon the estate benefited thereby. Such assessment shall be made by filing with the board of assessors of the city a certificate, designating the way and the private land in which such particular sewer or connecting drain has been constructed, and giving the name or names of the owners of the estate for which such connection has been made and the amount of the assessment to be paid by such owner or owners. A copy or duplicate of this certificate shall, within ten days after the filing of the same with the board of assessors, be recorded in the registry of deeds for the southern district for the county of Middlesex, or, in the case of registered land, filed in the office of the assistant recorder for the Middlesex county registry district. The board of assessors shall, upon receipt of such certificate, forthwith commit such assessments or charges with their warrant to the collector of taxes, who shall forthwith make a demand in writing for the payment of such assessments or charges, and every owner shall, within three months after such demand is served upon him or upon the occupant of the estate, or sent by mail to the last known address of the owner known to the collector of taxes, pay to the collector of taxes the sum assessed or charged under this section.

SECTION 11. Except as herein provided, the provisions of general law relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefor, and to

interest thereon, shall apply to assessments for particular sewers made under this act. In applying said provisions to assessments so made for particular sewers, the notice therein referred to shall be deemed to be the demand of the tax collector required by section ten of this act. The lien for any assessment for particular sewers made under this act shall attach upon the recording or filing for registration of the copy or duplicate of the certificate assessment.

SECTION 12. No act shall be done under the authority of the preceding sections except in the making of surveys and the preparation of plans until the plans of the proposed sewers and other sewerage works have been approved by the state department of public health.

SECTION 13. This act shall take effect upon its passage.

Approved July 9, 1968.

Chap. 523. AN ACT TO REQUIRE THE METROPOLITAN DISTRICT COMMISSION TO GRADE, FENCE AND PATROL A CERTAIN PARKING AREA IN THE CITY OF REVERE.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized and directed to drain, grade, resurface with hot-top, fence and patrol the parcel of land acquired by it, under the provisions of chapter five hundred and fifteen of the acts of nineteen hundred and sixty, for the purpose of constructing and thereafter maintaining and operating thereon a public parking area.

Approved July 9, 1968.

Chap. 524. AN ACT INCREASING THE COMMONWEALTH'S GUARANTEE AND ANNUAL CONTRIBUTIONS TO THE HOUSING OF ELDERLY PERSONS.

Be it enacted, etc., as follows:

Chapter 121 of the General Laws is hereby amended by striking out section 26VV, as most recently amended by chapter 572 of the acts of 1967, and inserting in place thereof the following section: —

Section 26VV. The commonwealth, acting by and through the department of commerce and development, may enter into a contract or contracts with a housing authority for state financial assistance in the form of a guarantee by the commonwealth of bonds and notes, or either bonds or notes, of the housing authority issued to finance the cost of a project or projects or a part or parts of a project or projects to provide housing for elderly persons of low income. The amount of bonds and notes, or bonds or notes, guaranteed by the commonwealth under this section shall not exceed two hundred and ten million dollars. Each contract for state financial assistance shall provide that the commonwealth will pay to the housing authority annual contributions; provided, however, that the total amount of annual contributions contracted for by the commonwealth for any one year shall not exceed five million two hundred and fifty thousand dollars. Each such annual contribution by the commonwealth shall be paid by the commonwealth upon approval and certification by the department of commerce and development to the state comptroller. The provisions of sections twenty-six NN and twenty-six OO shall, so far as apt, be applicable to contracts for state financial assistance under this section.