

HOUSE No. 2562

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, March 16, 1955.

The committee on Metropolitan Affairs, to whom was referred the petition (accompanied by bill, House, No. 1892) of F. Randolph Philbrook that the town of Randolph be included within the south metropolitan sewerage district, report the accompanying bill (House, No. 2562).

For the committee,

EDWARD L. KERR.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Five.

AN ACT TO INCLUDE THE TOWN OF RANDOLPH WITHIN THE SOUTH METROPOLITAN SEWERAGE DISTRICT.

1 *Whereas*, The deferred operation of this act would, in
2 part, defeat its purpose, which is to provide for sewage
3 disposal needs in the town of Randolph with the utmost
4 expedition, therefore it is hereby declared to be an emer-
5 gency law, necessary for the immediate preservation of
6 the public health, safety and convenience.

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 territory comprising the town of
2 Randolph is hereby added to the south metropolitan
3 sewerage district as defined in section one of chapter
4 ninety-two of the General Laws. In becoming a part of
5 said district, said town shall conform to the requirements
6 of said chapter ninety-two, relative to the south metro-
7 politan sewerage system, and shall be subject to said
8 provisions, except as is otherwise provided herein. Any
9 authority granted to other municipalities by said chapter
10 ninety-two is also vested in the town of Randolph in
11 common with such other municipalities.

1 SECTION 2. The metropolitan district commission, in
2 this act called the commission, shall provide an outlet
3 for the sewage from the town of Randolph, and may
4 construct a main trunk sewer or sewers in such manner
5 and in such locations as said commission shall deter-
6 mine. No work shall be done under the authority of
7 this section until the location and plans have been ap-
8 proved by the state department of public health.

1 SECTION 3. In providing for such outlet and in re-
2 ceiving sewage from the town of Randolph, and in any
3 action relating thereto, and for the purpose of taking,
4 constructing and maintaining such additional main lines
5 of sewers, the commission, acting on behalf of the
6 commonwealth, shall have and exercise all the authority
7 conferred upon it by said chapter ninety-two; and all
8 the provisions of said chapter are made applicable to the
9 additional construction, maintenance and operation
10 hereby authorized, except as is otherwise provided herein.

1 SECTION 4. No part of its sewage disposal system
2 which may be required for the use of the commonwealth
3 as a part of the south metropolitan sewerage district
4 shall be hereafter constructed by the town of Randolph
5 until the plans therefor shall have been approved by
6 the commission and the state department of public
7 health.

1 SECTION 5. To meet the expenditures necessary in
2 carrying out the provisions of this act, the state treasurer
3 shall, from time to time on request of the commission
4 and subject to the approval of the governor and council,
5 issue and sell at public or private sale bonds of the
6 commonwealth, registered or with interest coupons
7 attached, as he may deem best, to an amount not ex-
8 ceeding one million, five hundred thousand dollars, in
9 addition to the amount of such bonds heretofore au-
10 thorized for the construction of the south metropolitan
11 sewerage system. Such bonds shall be designated on the
12 face:— Metropolitan District Sewerage Loan, Act of
13 1955, shall be on the serial payment plan, and shall be
14 issued for such maximum term of years not exceeding
15 thirty years from the date of issue as may be recom-
16 mended by the governor in accordance with section three
17 of Article LXII of the Amendments to the Constitution
18 of the commonwealth, and shall bear interest at such
19 rate as shall be fixed by the state treasurer, with the
20 approval of the governor.

1 SECTION 6. The interest and serial bond requirements
2 on account of the moneys expended in constructing that
3 part of the south metropolitan sewerage system provided
4 for under this act, and the cost of maintenance and
5 operation thereof and such other expenses as may be
6 authorized hereunder, shall be deemed to be, and shall
7 be paid as, a part of the interest, sinking fund or serial
8 bond requirements and costs specified in chapter four
9 hundred and thirty-nine of the acts of eighteen hundred
10 and eighty-nine and acts in amendment thereof and in
11 addition thereto and affecting the same, and shall be
12 apportioned, assessed and collected in the manner pro-
13 vided by the provisions of said chapter ninety-two,
14 relative to such system, except as is hereinafter provided.

1 SECTION 7. The town of Randolph shall, in addition
2 to the yearly payment of the assessment so provided for
3 in section five, pay into the treasury of the common-
4 wealth for the Metropolitan Sewerage Loan — South
5 System, Serial Bond Redemption account, to be used for
6 reduction of current assessments, such proportion of the
7 total amount of the sinking fund for the district, as
8 existing on the first day of April in the year of its ad-
9 mission to the south metropolitan sewerage district, and
10 of all sinking fund bonds and serial bonds paid prior to
11 said date, as the valuation of the said town for the said
12 year shall bear to the total amount of the valuation of
13 said district, as determined for the purposes of appor-
14 tionment of assessments. Such proportion shall be de-
15 termined by the commission and shall be certified by the
16 commission to the state treasurer. The state treasurer
17 shall determine the total amount so to be paid by said
18 town on account of its admission to said district, and
19 for the payment thereof shall add one tenth of said total
20 amount to the yearly sum payable by said town on
21 account of its share of the interest, sinking fund and
22 serial bond requirements of said district on each of ten
23 years next succeeding. No assessments under the pro-
24 visions of sections six and seven shall be made upon said

25 town until the commission shall have certified to said
26 town that the work herein provided for has been so far
27 completed as to furnish an outlet to receive sewage from
28 said town.

1 SECTION 8. This act shall take full effect upon its
2 acceptance by a majority of the voters of the town of
3 Randolph present and voting thereon at a meeting
4 legally called for the purpose; provided, however, that
5 for the purposes of section seven of this act admission to
6 the south metropolitan sewerage district shall be con-
7 strued to mean the date of certification by the commis-
8 sion that an outlet is available to receive sewage from
9 said town.

