

By Mr. Saggese of Winthrop, petition of Alfred E. Saggese, Jr., and Michael LoPresti, Jr., that provision be made for the cleaning and dredging of the harbor of the town of Winthrop to improve boating and eliminate pollution. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Nine.

AN ACT PROVIDING FOR THE CLEANING AND DREDGING OF THE HARBOR OF THE TOWN OF WINTHROP TO IMPROVE BOATING AND ELIMINATE POLLUTION.

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. For the purpose of abating a nuisance and
2 reclaiming land, the department of public works, acting through its
3 division of waterways, is hereby authorized and directed, subject to
4 appropriation, to dredge and fill solid with borrow to an elevation
5 above mean high water, portions of the intertidal flats inside or
6 northeast of a line extending from buoy #6, located in Winthrop
7 Channel approximately 700 yards westerly of a wharf at Cottage
8 Park Yacht Club to a buoy known as Winthrop Light to the
9 Southwesternmost corner of Coughlin Playground within the har-
10 bor of the town of Winthrop. The department of environmental
11 quality engineering, acting through its division of waterways, is
12 furthermore directed and authorized to dredge a portion of the
13 intertidal flats, inside or east of a line extending from the South-
14 western most corner of the mouth of the Belle Isle Inlet to the
15 Southeasternmost point of Donovan Beach within the harbor of
16 the town of Winthrop. No expenditure shall be made under this act
17 until said town has acquired title to such land, water rights, rights-
18 of-way, or other easements as said department deems necessary to
19 perform the work authorized under this act, nor until said town
20 assumes liability in the manner provided by section twenty-nine of
21 chapter ninety-one of the General Laws for all damages to property
22 suffered by any person by any taking of land, or of any right,
23 interest or easement therein.

1 SECTION 2. The town of Winthrop may take by eminent
2 domain under chapter seventy-nine of the General Laws, or
3 acquire by purchase, or otherwise, any lands, water rights, rights-
4 of-way or other easements, public or private, required by said
5 department to perform the work authorized under this act.

1 SECTION 3. All work performed under this act shall be solely
2 for the purpose of guaranteeing the continued use of public
3 waterways in the harbor of the town of Winthrop and improving
4 use of existing public small boat launching facilities.

1 SECTION 4. To meet the expenditure necessary to accomplish
2 the work authorized in section one, the state treasurer shall, upon
3 request of the governor and council, issue and sell at public or
4 private sale bonds of the commonwealth, registered or with
5 interest coupons attached, as he may deem best, to an amount to be
6 specified by the governor and council from time to time, but not
7 exceeding, in the aggregate, two and one half million dollars. All
8 bonds issued by the commonwealth, as aforesaid, shall bear on
9 their face the words, Winthrop Harbor Pollution Elimination and
10 Land Reclamation Loan, Act of 1977, and shall be on the serial
11 payment plan for such maximum term of years, not exceeding 20
12 years, as the governor may recommend to the general court
13 pursuant to section three of Article LXII of the Amendments to the
14 Constitution of the Commonwealth, the maturities thereof to be so
15 arranged that the amounts, payable in the several years of the
16 period of amortization other than the final year, shall be as nearly
17 equal as in the opinion of the state treasurer it is practicable to
18 make them. Said bonds shall bear interest semi-annually at such
19 rate as the state treasurer, with the approval of the governor, shall
20 fix. The initial maturities of such bonds shall be payable not later
21 than one year from the date of issuance thereof.