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**ACTS, 1987. - Chap. 108.**

Notwithstanding the provisions of section six of chapter one hundred and eleven C of the General Laws, the department of public health is hereby authorized to extend from December thirty-first, nineteen hundred and eighty-six to April thirtieth, nineteen hundred and eighty-seven, the period during which the following individuals are required to complete a supplemental course in emergency medical care necessary for recertification as an ambulance operator or attendant: Carol L. Benson (#805502) of the town of Hatfield, Carl C. Demrow (#811094) of the town of Amherst, Richard M. Hall (#805508) of the town of Pelham, Lelia Kauffman (#126692) and Scott B. Keith (#808979) both of the town of Cummington, Warren Kirpatrick (#031393) of the town of Ashfield, Richard R. Leclair (#090154) of the city of Pittsfield, Gerald D. Perwak (#802646) of the town of South Deerfield, Michael W. Tirrell (#085261) and Jeffrey R. Wallace (#802673) both of the town of Windsor.

Approved June 3, 1987.

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**Chapter 108. AN ACT PROVIDING FOR DISPOSITION OF CERTAIN STATE-OWNED PROPERTY IN SALEM.**

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for the redevelopment of underutilized state-owned property for the public benefit, 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.** The deputy commissioner of the division of capital planning and operations, hereinafter called "the deputy commissioner", is hereby authorized, pursuant to the provisions of sections forty E through forty J of chapter seven of the General Laws to convey all or partial interests in a certain parcel of land located on Essex street in the city of Salem, together with the buildings thereon, hereinafter the "Salem Armory", to an entity or entities, hereinafter "the developer". Said conveyance shall be for the purpose of development that may include civic and cultural, commercial, and residential uses and shall be subject to the terms and conditions described in this act and other terms and conditions as the deputy commissioner may prescribe.

Said parcel is bounded and described as follows: A certain parcel of land with buildings thereon located in said Salem, Essex County, Massachusetts, and being shown partly on a plan entitled "Plan of Premises to the Conveyed to the City of Salem for Location of Armory, George F. Ashton, City Engineer 1907", hereinafter Plan of 1907 scale: 1"=20' recorded in the southern district registry of deeds in the county of Essex, at the end of Book 1899, and partly on a "Plan Showing Easement in Right of Way & Land Taken for Armory Purposes," George

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ACTS, 1987. – Chap. 108.

F. Ashton, City Engineer, Salem, Massachusetts, January 1908, hereinafter Plan of 1908, scale: 1"=5' as referenced with said deeds in Book 1910, Page 519.

Beginning on the northwesterly side of Essex Street at a point which is the intersection of the land marked "Stephen Abbot Associates" with the land marked "Essex Institute" as shown on said plan of 1907 thence running: Southwesterly, 62 feet 4 inches by Essex Street to a point; thence Northwesterly, 2 feet 7 inches to the line of Essex Street as widened or proposed to be widened in 1876; thence Southwesterly, 16 feet 9 inches by Essex Street to a point; thence Northwesterly 65 feet 2 inches by land now or formerly of Holbrook; thence Southwesterly, 3 feet 6 inches to a point; thence Northwesterly, 28 feet 3 inches to a point; thence Southwesterly, 20 feet 10 inches to the land now or formerly of Simon, the last three lines being by land now or formerly of Holbrook; thence Northerly, 47 feet by land now or formerly of Simon to a point; thence Westerly, 41 feet 0 inches by said land of Simon to land now or formerly of Jennings's Estate; thence Northerly, 127 feet 9.34 inches by land now or formerly of Jennings's Estate to a point marked "F" as shown on plan of 1908; thence Northwesterly, 19 and 63/100 (19.63) feet by land now or formerly of Jennings's Estate to Brown Street at a point marked as "H" as shown on plan of 1908; thence Northeasterly, 4 and 56/100 (4.56) feet by Brown Street to a point marked as "E" as shown on plan of 1908; thence continuing Northeasterly 145 feet 9 inches by said Brown Street to land formerly of the Manning Estate as shown on plan of 1907; thence Southeasterly, 96 feet 4 inches by said land formerly of the Manning Estate to the land of the Essex Institute; thence Southwesterly, 48 feet 2 inches by the land of the Essex Institute to a point; thence Southeasterly, 200 feet 4 inches by the land of Essex Institute to Essex Street and the point of beginning.

The above described premises are subject to a right of way twelve (12) feet in width from Brown Street to land now or formerly of Simon, located on the westerly side of the premises adjoining land now or formerly of Jennings's Estate. For Grantor's Title, see Takings by the Massachusetts State Armory Commission, dated November 25, 1907, and December 9, 1907, and recorded respectively with said deeds in Book 1899, Page 286, and in Book 1910, Page 518. See also Section 40E of Chapter 7 of the General Laws. Any reference to "the parcel" herein may include portions of such parcel.

**SECTION 2.** Pursuant to the provisions of this section and sections forty E through forty J of chapter seven of the General Laws, the deputy commissioner is hereby authorized to solicit, evaluate, and select development proposals and enter into land disposition agreements between said division of capital planning and operations and the developer.

Prior to issuing a request for proposals pursuant to this section, the deputy commissioner shall undertake such studies as are necessary to determine the economic feasibility of the terms and conditions, including selection criteria, set forth in the request for proposals.

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**ACTS, 1987. - Chap. 108.**

The deputy commissioner shall issue a request for proposals. The request for proposals shall specify:

(1) if the deputy commissioner has determined housing for moderate and middle income households to be a feasible use at either on-site or off-site locations, the minimum number of housing units for such households that must be provided;

(2) if the deputy commissioner has determined the minimum or maximum space, or both, that should be provided for other development uses consistent with the purposes of this act, such minimum or maximum space requirements;

(3) a listing and description of uses determined by the deputy commissioner to be infeasible or inconsistent with the purposes of this act;

(4) all evaluation criteria that will be utilized for the evaluation of proposals, together with a statement that evaluations shall be based solely on the criteria set forth in the request for proposals;

(5) all items or categories of information which must be included in each development proposal, and a format for submitting such information; and

(6) those terms and conditions of the land disposition agreement which are not subject to negotiation, provided that the land disposition agreement shall incorporate by reference the development proposal submitted by the selected developer together with any revisions thereof that have been negotiated in accordance with this section, and provided further that the land disposition agreement shall include remedies on behalf of the commonwealth in the event the developer fails to fulfill its obligation as set forth in the land disposition agreement.

Taking into consideration the proposed price and the evaluations based on the criteria set forth in the request for proposals, the deputy commissioner shall determine the responsible and responsive developer submitting the most advantageous proposal. The deputy commissioner may condition disposition of the parcel described in section one on the negotiation of revisions in the development proposal submitted by the selected developer. The deputy commissioner may reject any and all proposals if he determines that rejection is in the best interests of the commonwealth.

If the deputy commissioner selects a developer who did not offer the highest price, the deputy commissioner shall include a justification for such decision in the notification required by section forty H of chapter seven of the General Laws. The deputy commissioner shall maintain a written record in reasonable detail of evaluations and negotiations undertaken pursuant to this act, and shall retain such record with the proposals in accordance with said section forty H.

**SECTION 3.** The deputy commissioner is hereby authorized to retain or grant rights of way or easements across the parcel described in section one, and the commonwealth may accept from the developer similar rights of way or easements in roadways or land on the parcels to be conveyed pursuant to this act.

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**ACTS, 1987. - Chap. 109.**

**SECTION 4.** At least ten days, excluding Saturdays, Sundays, and holidays, before soliciting proposals, the deputy commissioner shall submit to the joint committee on state administration and the inspector general the request for proposals and all studies relating thereto. At least ten days, excluding Saturdays, Sundays, and holidays, before executing any agreement authorized by this act, or any subsequent amendment thereof, the deputy commissioner shall submit the agreement or amendment to the house and senate committees on ways and means, the joint committee on state administration, and the inspector general.

**SECTION 5.** The deputy commissioner shall provide opportunities for the Salem armory citizens advisory committee to review and comment on studies and the request for proposals. The deputy commissioner shall consider said committee's recommendations, provided that said recommendations shall be advisory only, and in no event shall the deputy commissioner delegate his legal authority to the committee.

Approved June 3, 1987.

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**Chapter 109. AN ACT PROVIDING FOR THE USE OF LAND IN NORFOLK COUNTY AS A TEMPORARY MINIMUM SECURITY ALTERNATIVE CORRECTIONAL CENTER.**

Be it enacted, etc., as follows:

**SECTION 1.** The county commissioners of Norfolk county are hereby authorized to use for correctional purposes the building known as the former nurses' quarters on the grounds of the Norfolk county hospital to operate the Braintree alternative center.

Said center shall remain in operation only until June thirtieth, nineteen hundred and eighty-nine or for a period of thirty days after the opening of a jail and house of correction replacing the present correction facility in the town of Dedham, whichever first occurs.

The inmate population of said center shall not exceed fifty-six. The physical character of the said nurses' quarters shall not be changed. No court of the commonwealth shall sentence any person to said center. All inmates housed at said center shall be placed there by the authority of the sheriff of said county after consultation with the chief of police of the town of Braintree, in accordance with existing procedures.

Said sheriff shall operate said center as a temporary, minimum security alternative correction center in accordance with the guidelines of said county for the operation of such a center. No inmate shall be housed at said center who does not conform to the provisions of said guidelines. No inmate convicted of sexual offenses, breaking and entering a dwelling house or trafficking in controlled substances shall be housed at said center.