
ACTS, 1988. - Chaps. 54, 55.

Chapter 54. AN ACT DESIGNATING A PORTION OF INTERSTATE HIGHWAY ROUTE 495 AS THE KOREAN WAR VETERANS HIGHWAY.

Be it enacted, etc., as follows:

That portion of interstate highway Route 495, from the junction of interstate 95 in the town of Foxborough and thence running southeasterly to the junction of state highway Route 24 near the Raynham-Bridgewater town line shall be designated and known as the Korean War Veterans Highway in tribute to the men and women who have served in the Armed Forces of the United States of America during the Korean War. The department of public works shall erect and maintain suitable markers along said highway bearing said designation, in compliance with the standards of said department and as authorized by the federal highway administration.

Approved May 31, 1988.

Chapter 55. AN ACT AUTHORIZING THE TOWNS OF BELLINGHAM AND BLACKSTONE TO CONTRACT WITH THE CITY OF WOONSOCKET, RHODE ISLAND TO PARTICIPATE IN THE WOONSOCKET REGIONAL WASTEWATER SYSTEM INDUSTRIAL PRETREATMENT PROGRAM.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately authorize the towns of Bellingham and Blackstone to enter into a contract with the city of Woonsocket, Rhode Island, 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 towns of Bellingham and Blackstone are hereby authorized to enter into a contract with the city of Woonsocket in the state of Rhode Island for the treatment and disposal of all or a portion of the non-domestic sewage from the towns of Bellingham and Blackstone by means of their participation in the Woonsocket regional wastewater system industrial pretreatment program administered by said city of Woonsocket.

SECTION 2. No contract authorized by section one of this act shall become effective until the terms thereof are approved as reasonable by the emergency finance board as provided in section four of chapter forty of the General Laws. In addition, for the purpose of paying capital costs, including lump-sum payments to any city or town, incurred or required to be paid under any such contract said towns of Bellingham and Blackstone may incur debt as provided in clause (15) of section eight of chapter forty-four of the General Laws.

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SECTION 3. The towns of Bellingham and Blackstone are hereby authorized to promulgate, amend and revise from time to time, local sewer use by-laws, or rules and regulations, to conform said sewer use by-laws, or rules and regulations with the treatment standards and permit requirements and procedures in effect in the Woonsocket regional wastewater system industrial pretreatment program; provided, however, that nothing in this act shall be construed to limit the authority provided in this section, or the validity of any by-law, or rule or regulation adopted pursuant hereto, to the existence of or terms of any such contract.

SECTION 4. The towns of Bellingham and Blackstone are hereby authorized to enforce such industrial pretreatment sewer use by-laws, or rules and regulations against the users located within their respective towns. The enforcement authority of the towns of Bellingham and Blackstone shall include, but not be limited to the right to seek legal, equitable and injunctive relief in federal and state courts; the right to hold any industrial user liable for any damages caused by noncompliance and for the reasonable attorney fees of said towns seeking compliance, penalties or damages; the imposition of civil penalties of five thousand dollars per day for each day of noncompliance with any such by-law, rule or regulation; the imposition of criminal penalties against any person found guilty of violating, willfully or with-criminal negligence, any such sewer use by-law, rule or regulation, or any permit or order issued by said towns pursuant thereto, by a fine of not more than ten thousand dollars or by imprisonment for not more than thirty days, or by both such fine or imprisonment; and every person shall be deemed guilty of a separate and distinct offense for each day during which such violation shall be continued; and the imposition of a criminal fine of not more than five thousand dollars for each instance of violation against any person, who upon conviction, has been found guilty of knowingly making any false statement, representation, or certification in any application, record, report, plan or other document filed or required to be maintained under any such sewer use by-law, or rule and regulation, or by any permit or order issued under such sewer use by-law, or rule and regulation; or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under such sewer use by-law, or rule and regulation or by any permit, or order issued under such sewer use by-law, or rule and regulation.

SECTION 5. The towns of Bellingham and Blackstone shall have authority to designate and employ any qualified person needed to perform the inspection, monitoring, and enforcement duties required by said towns' participation in the Woonsocket regional wastewater system industrial pretreatment program.

SECTION 6. No contract authorized by section one, or any other action taken by the towns of Bellingham and Blackstone pursuant to their participation in the Woonsocket regional wastewater system industrial pretreatment program, shall be contrary to, or inconsistent with, any

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relevant statute or rule and regulation of the commonwealth, including but not limited to, sections twenty-six to fifty-three, inclusive, of chapter twenty-one of the General Laws, and 314 CMR 7.00 and 314 CMR 12.00 of the Code of Massachusetts Regulations.

Approved June 1, 1988.

Chapter 56. AN ACT AUTHORIZING THE TOWN OF BARRE TO ESTABLISH A DEPARTMENT OF PUBLIC WORKS.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established in the town of Barre, a *department of public works, hereafter called the department, which shall be under the jurisdiction of a public works commission. Said commission shall be composed of the board of selectmen, the water commissioners and the sewer commissioners. The board of selectmen, water commissioners and sewer commissioners shall continue to be elected in accordance with the General Laws and the by-laws of said town and said board and commissioners shall continue to have all the powers and responsibilities vested by the general or special laws or by town by-law. The department shall have all the powers and duties now vested in or exercised by any of the following departments: the highway department, water department, sewer department and the parks and recreational department.*

SECTION 2. The public works commission shall appoint a superintendent of public works who shall exercise and perform the duties as directed by said commission. The superintendent shall supervise and direct the operation of the department. All present employees of any of the departments listed in section one shall be transferred to the department, continue to serve and retain all rights and benefits entitled to as of the effective date of this act. Said commission shall recommend to the personnel board a rate of compensation which shall be funded at the annual town meeting.

The superintendent of public works shall be qualified by education, training and experience to perform the duties of said position and shall supervise all employees of the department as determined from time to time by said commission.

The superintendent shall be removed for just cause only and by a majority vote of the whole commission. The superintendent shall be given written notice at least twenty-one days prior to the date of such removal which will state the reason for such removal, and, at the superintendent's request, a public hearing shall be held on the charges brought against the superintendent, prior to the removal. The superintendent shall hold no other elected or appointed office or engage in any business that said commission would deem to constitute a conflict of interest. The superintendent, with the approval of a majority of said commission and the personnel board, shall hire such employees as are