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SECTION 2. The provisions of this act shall take effect on February tenth, nineteen hundred and eighty-nine.

Approved April 27, 1989.

Chapter 44. AN ACT AUTHORIZING THE TOWN OF FOXBOROUGH TO RECONVEY CERTAIN LAND.

Be it enacted, etc., as follows:

SECTION 1. The town of Foxborough, acting by and through its conservation commission, is hereby authorized to reconvey, subject to the approval of the secretary of environmental affairs, to R. Zoppo Co., Inc., or its nominee, a certain portion of the property previously taken by said town pursuant to an eminent domain proceeding by an Order of Taking dated July 14, 1981 and recorded at the registry of deeds in the county of Norfolk on July 17, 1981 in Book 5898, Page 271.

Said parcel is as shown on a Plan of Land in Foxborough, Massachusetts off Cedar Street, Dated December 14, 1988 Bubby Associates, Inc., to be recorded at the registry of deeds in the county of Norfolk.

SECTION 2. This act shall take effect upon its passage.

Approved May 2, 1989.

Chapter 45. AN ACT ESTABLISHING A SPECIAL ACCOUNT FOR THE TOWN OF BILLERICA SEWERAGE PLANT EXPANSION AND INFLOW INFILTRATION FUND.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law, rule or regulation to the contrary, the town of Billerica is hereby authorized to establish a special account to be known as the town of Billerica Sewerage Plant Expansion and Inflow Infiltration Fund. The purpose of such fund is to provide the revenue for the funding of engineering, construction and rehabilitation of sewerage treatment works, pumping stations and facilities located within the town of Billerica and to provide revenues to do all things necessary to correct, remedy, repair, prevent and prohibit any and all forms of infiltration or inflow from groundwater and other sources of leakage into pipes, facilities, and systems. Such special account shall be maintained by the treasurer of the town of Billerica in a banking institution doing business in the commonwealth, and expenditures from said special account shall be made subject to appropriation initiated by the board of selectmen upon the recommendation of the director of public works and the town

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administrator of said town and approved by a majority vote of the town meeting.

SECTION 2. Payments to such account shall be made by applicants for connection to the sewer system of said town who are constructing or erecting new buildings or developing land for industrial, commercial and residential uses. The method and amount of such payments from such private sources shall be as determined by a schedule of fees to be set by the board of selectmen. Said schedule shall provide for the method of determining the amount of each payment from such applicants based upon their anticipated water and sewer use by each and for the particular kind of development contemplated.

SECTION 3. Appropriation from time to time may be made by the town of Billerica into said special account for the purpose of providing additional funds for aforesaid engineering, construction and rehabilitation of sewerage treatment works, pumping stations and facilities.

SECTION 4. The treasurer of the town of Billerica shall be authorized to invest monies in said special account and the interest accruing shall inure to the benefit of said special account. Said special account shall be maintained in accordance with generally accepted accounting principles and shall be audited annually with the cost of such audit charged to said special account.

SECTION 5. The director of public works for the town of Billerica, with the approval of the town administrator, may make applications for available state and federal government grants for the engineering, construction and rehabilitation of sewerage treatment works, pumping stations and facilities, and to pledge any and all such sums for money in said account with the approval of the board of selectmen and the town meeting for any such matching grants for engineering, construction and rehabilitation of sewerage treatment works, pumping stations and facilities.

SECTION 6. The town accountant shall file jointly with the board of selectmen, the town administrator, the treasurer, the finance committee and with the bureau of accounts, a written report relative to such special account authorized by section one. Said report shall be made within one hundred and twenty days after the books of account are closed for each fiscal year. Such report shall include a financial statement relating to the operation, maintenance and expenditures made under the said special account. Said board of selectmen may review and comment on said report and file such review with the state auditor.

Approved May 2, 1989.