

HOUSE No. 2575

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, June 11, 1951.

The committee on Ways and Means, to whom was referred the Bill to include the town of Framingham within the South Metropolitan Sewerage District (printed in House, No. 2218, App. B), report that the same ought to pass in the form of a new draft herewith submitted (House, No. 2575).

For the committee,

JOHN J. TOOMEY.

The Commonwealth of Massachusetts

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

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

*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 Framingham is hereby added to the south metropoli-
3 tan sewerage district, as defined in section one of chap-
4 ter ninety-two of the General Laws. In becoming a
5 part of said district, said town shall conform to the
6 requirements of said chapter ninety-two, relative to
7 the south metropolitan sewerage system, and shall be
8 subject to said provisions, except as is otherwise pro-
9 vided herein. Any authority granted to other munic-
10 ipalities by said chapter ninety-two is also vested in
11 the town of Framingham in common with such other
12 municipalities.

1 SECTION 2. The metropolitan district commission,
2 hereinafter called the commission, shall, by its sewer-
3 age division, provide an outlet for the sewage of the
4 town of Framingham by means of a connection to the
5 sewer system of said town and, acting on behalf of the
6 commonwealth, shall construct a main trunk sewer or
7 sewers through such parts of the towns of Needham,
8 Wellesley, Dover, Natick and Framingham, and from
9 said sewer system of the town of Framingham to such

10 point in the south metropolitan sewerage system as
11 the commission may determine to be necessary to
12 make connection with the Wellesley extension of the
13 high level sewer. The location of such main sewer or
14 sewers shall be subject to the approval of the depart-
15 ment of public health.

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

1 SECTION 4. To meet the expenditures necessary
2 in carrying out the provisions of this act, the state
3 treasurer shall, from time to time on request of the
4 commission and subject to the approval of the governor
5 and council, issue and sell at public or private sale
6 bonds of the commonwealth, registered or with interest
7 coupons attached, as he may deem best, to an amount
8 not exceeding two million dollars, in addition to the
9 amount of such bonds heretofore authorized for the
10 construction of the south metropolitan sewerage
11 system. Such bonds shall be designated on the face:
12 Metropolitan District Sewerage Loan, Act of 1951,
13 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 3

17 of Article LXII of the Amendments to the Constitu-
18 tion of the commonwealth, and shall bear interest
19 at such rate as shall be fixed by the state treasurer,
20 with the approval of the governor.

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

1 SECTION 6. The town of Framingham shall, in
2 addition to the yearly payment of the assessment so
3 provided for in section five, pay into the treasury of
4 the commonwealth for the Metropolitan Sewerage
5 Loan-South System, Serial Bond Redemption account
6 to be used for reduction of current assessments such
7 proportion of the total amount of the sinking fund
8 for the district, as existing on the first day of April in
9 the year of its admission to the south metropolitan
10 sewerage district and of all sinking fund bonds and
11 serial bonds paid prior to said date, as the valuation
12 of the said town for the said year shall bear to the
13 total amount of the valuation of said district, as
14 determined by the purposes of apportionment of as-

15 sessments. Such proportion shall be determined by
16 the commission and shall be certified by the commis-
17 sion to the state treasurer. The state treasurer shall
18 determine the total amount so to be paid by said town
19 on account of its admission to said district and for
20 the payment thereof shall add one tenth of said total
21 amount to the yearly sum payable by said town on
22 account of its share of the interest, sinking fund and
23 serial bond requirements of said district in each of ten
24 years next succeeding. No assessment on account of
25 the cost of maintenance and operation of the aforesaid
26 district shall be made upon said town until the com-
27 mission shall have certified to said town that the
28 work herein provided for has been so far completed as
29 to furnish an outlet to receive sewage from said town.

1 SECTION 7. The town, upon its admission into the
2 south metropolitan sewerage district and abandon-
3 ment of its sewage disposal works, may at any time
4 use for other purposes than in sewage disposal, sell,
5 exchange or lease any property, real or personal, com-
6 prising all or any portion of such abandoned sewage
7 disposal works, or any easement or right acquired or
8 held in connection with such abandoned sewage dis-
9 posal works, and upon such abandonment of such
10 sewage disposal works and filing of a notice to that
11 effect by the town with the department of public
12 health, the restriction as to the use of such property
13 or right therein for sewerage purposes shall become
14 null and void and of no effect.

1 SECTION 8. This act shall take full effect upon its
2 acceptance by a majority of the voters of the town of
3 Framingham present and voting thereon at a meeting
4 legally called for the purpose.

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