

HOUSE No. 4372

Substituted by the House, on a motion of Mr. Mariano of Quincy, for a bill with the same title (House, No. 4360). July 30, 2014.

The Commonwealth of Massachusetts

—————
In the Year Two Thousand Fourteen
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An Act to promote the sustainable economic development of the former Weymouth Naval Air Station for the benefit of the towns of Abington, Rockland, and Weymouth, the NAS South Weymouth Region and the Commonwealth.

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. Chapter 301 of the acts of 1998, as amended by section 37 of chapter 303 of
2 the acts of 2008, is hereby further amended by striking out sections 1 to 36, inclusive, and
3 inserting in place thereof the following 36 sections:-

4 Section 1. It is hereby found that the closure of the Naval Air Station hereinafter referred
5 to as NAS South Weymouth, by the United States Government in September of 1997 is
6 detrimental to the economic welfare of the citizens of the commonwealth and, in particular, the
7 towns of Abington and Rockland and the city known as the town of Weymouth, hereinafter
8 referred to as the town of Weymouth. The closure of this military installation imposes upon the
9 commonwealth and its citizens an increased fiscal burden in addition to that incurred by the
10 commonwealth on account of the closure of various other military installations in the
11 commonwealth. It is further found that the full redevelopment of NAS South Weymouth
12 remains essential for the benefit of the towns of Abington, Rockland and Weymouth, the region
13 and the commonwealth, and to that end this act shall reconstitute the South Shore Tri-Town
14 Development Corporation, SSTDC, or Southfield Redevelopment Authority, as renamed
15 pursuant to this act, reinforce municipal control over land-use and development decisions
16 affecting each of the three towns, Abington, Rockland and Weymouth, that constitute NAS
17 South Weymouth, and strengthen the alignment of interests between said authority, the towns,
18 and the master developer as defined herein. Therefore, it is the purpose of this act to promote the
19 expeditious and orderly conversion and redevelopment of NAS South Weymouth for nonmilitary
20 purposes, including, but not limited to, commercial, housing, industrial, institutional,
21 educational, governmental, recreational, conservation or manufacturing uses in order to prevent
22 blight, economic dislocation and additional unemployment, and to aid and strengthen the local

23 economy, the regional economy and the economy of the commonwealth. In order to achieve
24 these objectives, it is deemed necessary and appropriate to continue the structure of SSTDC, but
25 as renamed and modified pursuant to this act, with full powers and authority to carry out the
26 purposes of this act.

27 Section 2. It shall be the goal of this act to promote the expeditious acquisition and
28 redevelopment of NAS South Weymouth while addressing the economic, social and
29 environmental needs of the region. Except as otherwise provided in this act, this goal shall be
30 accomplished in a manner consistent with the Reuse Plan prepared by the Naval Air Station
31 planning committee and approved by a majority vote of the town meetings of the towns of
32 Abington, Rockland and Weymouth, on March 23, 1998, March 16, 1998 and March 4, 1998,
33 respectively, and approved by the commonwealth, the United States Department of Defense and
34 the Master Developer. The redevelopment is designed to minimize and mitigate negative off-
35 base impacts on the area such as those on water resources, air quality, traffic and noise, and to
36 limit the impacts to those necessary to achieve community reuse goals and objectives. The
37 redevelopment shall be integrated with the United States government's cleanup of hazardous
38 materials on the base to ensure effective, expeditious and efficient environmental remediation
39 and protection of public health and welfare in accordance with federal and state law and
40 regulation.

41 Section 3. There is hereby created a body politic and corporate, to be known as the
42 Southfield Redevelopment Authority, to carry out this act. The authority is hereby deemed to be
43 a public instrumentality, and the exercise by the authority of the powers conferred by this act
44 shall be deemed and held to be the performance of public functions. The authority shall be
45 included within the definition of a "local government unit or local governmental unit", as defined
46 in section 1 of chapter 29C of the General Laws, and its bonds and notes shall be included within
47 the definition of "local governmental obligations", as defined in said section 1 of said chapter
48 29C. The authority shall be included within the definition of a "governmental entity" for
49 purposes of owning public infrastructure improvements pursuant to chapter 293 of the acts of
50 2006. The authority shall be an "eligible applicant" and a municipality for the purposes of the
51 General Laws and the authority, the town of Rockland, the town of Weymouth and the town of
52 Abington shall be eligible for any financial or other assistance from the Massachusetts School
53 Building Authority and the Massachusetts Department of Transportation pursuant to chapter 90
54 of the General Laws.

55 To achieve its primary purpose of securing the redevelopment of NAS South Weymouth
56 to the greatest benefit of the towns of Abington, Rockland and Weymouth, the authority shall be
57 guided in its financing activities with the goal of maximizing the fiscal benefit to the towns
58 stemming from the redevelopment. The authority, during its existence, and the master
59 developer, giving consideration to its economic interests, shall pursue the redevelopment of the
60 underutilized land within NAS South Weymouth in a manner that maximizes the opportunity for
61 generating revenue for the towns that exceeds the costs that the towns incur for the provision of

62 those municipal services that the towns are obligated to provide to NAS South Weymouth
63 pursuant to this act. The authority shall, to the maximum extent feasible and consistent with the
64 zoning by-laws, dispose of all of the property within the NAS South Weymouth Redevelopment
65 Area through sale or other transfer prior to said authority's termination as provided in section 33.

66 Section 4. As used in this act, the following words shall, unless the context requires
67 otherwise, have the following meanings:

68 (a) "Abington appointee," the member of the board appointed by the town of Abington.

69 (b) "Advisory board," the advisory board to the Authority established by section 11.

70 (c) "Affordable and workforce housing plan," the Affordable and Workforce Housing
71 Plan for NAS South Weymouth, as adopted by South Shore Tri-Town Development Corporation
72 on January 24, 2011.

73 (d) "Affordable and workforce housing regulations," the NAS South Weymouth
74 Affordable and Workforce Housing Regulations, as adopted by South Shore Tri-Town
75 Development Corporation on January 24, 2011.

76 (e) "Agency," the Massachusetts Development Finance Agency, a Massachusetts body
77 politic and corporate established by section 2 of chapter 23G of the General Laws, which is the
78 successor-in-interest to the government land bank under chapter 289 of the acts of 1998.

79 (f) "Authority," the authority established by section 3, and, as the context requires, the
80 South Shore Tri-Town Development Corporation created pursuant to the prior enabling act.

81 (g) "Base rate," the ad valorem property tax rate levied by the town in which the subject
82 property is located.

83 (h) "Base revenue," revenue generated through assessment and collection of the base
84 rate.

85 (i) "Board," the board of directors of Southfield Redevelopment Authority established by
86 section 9.

87 (j) "Bond termination date," the latest date on which all amounts outstanding under
88 bonds or notes issued by the authority pursuant to this act or by the agency pursuant to section 6
89 of chapter 293 of the acts of 2006, including all obligations of the authority undertaken in
90 connection with the issuance of such bonds of the agency, have been paid in full, which date
91 shall be no later than December 31, 2065.

92 (k) "Central Redevelopment Area," the geographic area shown as the "Central
93 Redevelopment Area" on the zoning map.

94 (l) “Chamber appointee,” the member of the board appointed pursuant to section 9(a)(vi).

95 (m) “Commercial development,” all non-residential, non-recreational and non-
96 institutional land-uses permissible under the zoning by-laws, including retail, general office,
97 medical office, and industrial uses.

98 (n) “Commercial minimum,” 900,000 gross square feet of commercial development.

99 (o) “Consecutive water agreement,” the “Memorandum of Agreement for Consecutive
100 Public Water System” entered into between the authority and the town of Weymouth as of
101 October 22, 2010.

102 (p) “DDA,” the “NAS South Weymouth Amended and Restated Disposition and
103 Development Agreement” entered into between South Shore Tri-Town Development
104 Corporation and LNR South Shore, LLC on March 24, 2008, as most recently amended by the
105 Tenth Amendment thereto, dated December 28, 2010.

106 (q) “Dedicated Commercial Zone,” a contiguous 30-acre area within the central
107 redevelopment area capable of accommodating development of at least the balance of the
108 commercial minimum.

109 (r) “Dissolution and administration agreement,” the dissolution and administration
110 agreement authorized pursuant to section 33.

111 (s) “Executive,” the mayor of Weymouth, or the boards of selectmen of Abington and
112 Rockland, as applicable.

113 (t) “Infrastructure,” all infrastructure included in the Project.

114 (u) “Labor appointee,” the member of the board appointed pursuant to section 9(a)(iv).

115 (v) “Major zoning revision,” a “substantial revision” to the zoning by-laws as the term is
116 defined and used in the existing zoning by-laws.

117 (w) “Master developer,” the master developer designated under the DDA.

118 (x) “Master plan,” the Master Plan submitted by the master developer to South Shore
119 Tri-Town Development Corporation and the towns on March, 7, 2005, as amended.

120 (y) “Minor zoning revision,” any revision to the zoning by-laws that does not constitute a
121 major zoning revision as defined herein.

122 (z) “NAS South Weymouth,” the military base formerly known as the Naval Air Station
123 South Weymouth, which was disestablished in accordance with the recommendation of the 1995
124 Base Realignment and Closure Commission, pursuant to 10 U.S.C. § 2687, as amended.

125 (aa) "NAS South Weymouth Redevelopment Area," the geographic area delineated in
126 the plans and maps referenced in section 5.

127 (bb) "NAS South Weymouth Region," (i) towns as defined in this act; (ii) all
128 municipalities contiguous to the towns; and (iii) all municipalities contiguous to the
129 municipalities in subsection (ii); provided, however, that the NAS South Weymouth Region shall
130 not include the city of Boston.

131 (cc) "Parkway," the east-west parkway connecting Weymouth Street in Rockland to
132 Route 18 (Main Street) in Weymouth.

133 (dd) "Parkway Financing MOA," the Memorandum of Agreement on Financing for the
134 South Shore Tri-Town Development Corporation's Parkway entered into as of March 4, 2010 by
135 and between the Commonwealth of Massachusetts and South Shore Tri-Town Development
136 Corporation, as amended by the First Amendment thereto dated June 15, 2010.

137 (ee) "Perimeter area," the geographic area designated as the "perimeter area" on the
138 existing zoning map.

139 (ff) "Permanent water and wastewater infrastructure," (i) water supply, treatment, and
140 distribution and (ii) sewer collection, treatment, and disposal capacity for the Project that does
141 not exist as of the date of this act, and that is financed, designed, constructed, operated and
142 maintained by the master developer pursuant to, and to the extent provided in, section 15.

143 (gg) "Phase I water and wastewater agreement," the Memorandum of Agreement for
144 Provision of Water and Wastewater Service entered into on March 7, 2008 by and between the
145 Town of Weymouth and South Shore Tri-Town Development Corporation, as amended by
146 Amendment #1 to same effective July 1, 2012.

147 (hh) "Pledged revenue," property tax revenue subject to the pledge established in that
148 certain Trust Indenture between South Shore Tri-Town Development Corporation and Wells
149 Fargo Bank, N.A., as Trustee, dated as of August 1, 2010 and relating to South Shore Tri-Town
150 Development Corporation Infrastructure Development Revenue Bonds, Series 2010A, as the
151 same may be amended from time to time.

152 (ii) "Prior enabling act," chapter 301 of the Acts of 1998, as amended and restated by
153 section 37 of chapter 303 of the Acts of 2008.

154 (jj) "Project," the acquisition, development, improvement, construction, expansion,
155 reduction, destruction and renovation of all real and personal property and infrastructure,
156 buildings, structures, utilities and utility services located on, conducted within or otherwise
157 directly associated with the NAS South Weymouth Redevelopment Area, which shall be owned
158 by the authority, the towns, the commonwealth or any other political subdivision or public
159 instrumentality of the commonwealth including, but not limited to, all infrastructure for the

160 provision of gas; cable television; telephone; storm drainage systems; dams; sewage treatment
161 plants; sewers; water and well systems; roads; highways; bridges; culverts; tunnels; streets;
162 sidewalks; lighting; parking, including garages; schools; public safety; public works and
163 administration buildings; parks; cultural and performing arts facilities; recreational facilities;
164 transportation stations and related facilities; shuttle transportation equipment; fiber and
165 telecommunication systems; facilities to produce and distribute electricity, including alternate
166 energy sources such as co-generation and solar installations; the investigation and remediation
167 associated with the cleanup of actual or perceived environmental contamination in accordance
168 with applicable governmental regulations; and all other programs, services, systems and other
169 activities associated therewith, located on, conducted within or otherwise directly associated with
170 the NAS South Weymouth Redevelopment Area.

171 (kk) "Resident appointees," the members of the board appointed pursuant to section
172 9(a)(v).

173 (ll) "Residential maximum," 2,855 residential housing units, allocated at the master
174 developer's discretion between the residential unit types contemplated in the reuse plan.

175 (mm) "Reuse plan," the Reuse Plan for Naval Air Station South Weymouth as approved
176 by South Shore Tri-Town Development Corporation on May 5, 2005 and as defined and referred
177 to in the prior enabling act.

178 (nn) "Rockland appointees," the members of the board appointed by the town of
179 Rockland.

180 (oo) "Secretary," the secretary of the executive office for administration and finance.

181 (pp) "Senior housing minimum," 400 units of housing made available for sale or rental
182 exclusively to persons age 55 or over and allowing for occupancy in any such unit of only one
183 (1) person under fifty-five (55) years of age.

184 (qq) "Series 2010A Bonds," the South Shore Tri-Town Development Corporation
185 Infrastructure Development Revenue Bonds, Series 2010A issued pursuant to the Trust
186 Indenture, dated as of August 1, 2010, between South Shore Tri-Town Development Corporation
187 and Wells Fargo Bank, N.A., as Trustee.

188 (rr) "Southfield rate," ad valorem property tax rate levied within NAS South Weymouth
189 pursuant to section 19, in excess of the base rate and at only that level necessary to fund the
190 operations of the authority as determined by the board pursuant to section 19, subject to the
191 approval of the Department of Revenue.

192 (ss) "Southfield revenue," revenue generated in a single tax year through the assessment
193 and collection of the Southfield rate.

194 (tt) "Taxation plan", the plan established pursuant to section 19.

195 (uu) "Town appointees," the Abington, Rockland and Weymouth appointees,
196 collectively.

197 (vv) "Towns," the towns of Abington, Rockland and Weymouth.

198 (ww) "Trust Indenture," the trust indenture referred to in the definition of pledged
199 revenue.

200 (xx) "Weymouth appointees," the members of the board appointed by the town of
201 Weymouth.

202 (yy) "Zoning by-laws," the "Zoning and Land Use By-Laws for NAS South
203 Weymouth," both in the form existing as of the effective date of this act, "existing zoning by-
204 laws", and as it may be revised in accordance with this act.

205 (zz) "Zoning map," the Zoning District Map referenced in section 4.3 of the existing
206 zoning by-laws, both in the form existing as of the effective date of this act, "existing zoning
207 map", and as it may be revised in accordance with this act.

208 Section 5. The NAS South Weymouth Redevelopment Area shall be comprised of the
209 central redevelopment area and the perimeter area and shall include the lands, including all
210 easements, reservations and rights appurtenant thereto, and all buildings, structures, utilities and
211 improvements located thereon, comprised of the former military base of that name presently
212 located in the towns of Abington, Rockland and Weymouth and now or formerly within the
213 ownership, control and jurisdiction of the United States, including those portions of the base
214 property that have been transferred as of the effective date of this act to the United States Coast
215 Guard and Federal Aviation Administration. Plans and descriptions detailing the precise
216 boundaries and configuration of the NAS South Weymouth Redevelopment Area, including the
217 precise boundaries of the land of NAS South Weymouth transferred to the United States Coast
218 Guard and Federal Aviation Administration, the precise boundaries of the land of each town
219 located within the NAS South Weymouth Redevelopment Area and the precise boundaries of the
220 central redevelopment area and perimeter area, were filed with the secretary and recorded in the
221 Plymouth county registry of deeds in plan number 760 in plan book 42 and the Norfolk county
222 registry of deeds as plan number 525 in plan book 467.

223 Section 6. Except as otherwise provided in, directed by, or limited by this act, the
224 authority shall have all of the powers necessary or convenient to carry out the purposes and
225 provisions of this act, including the power to:

226 (a) exercise the rights provided to municipal governments and agencies under federal
227 laws and regulations and under the constitution, laws and regulations of the commonwealth
228 subject to section 31 of chapter 44 of the General Laws;

229 (b) sue and be sued in all courts and to initiate or participate in actions and proceedings,
230 whether judicial, administrative, arbitratve or otherwise;

231 (c) adopt a seal and alter such seal at its pleasure and use it by causing it or a facsimile to
232 be affixed or impressed or reproduced in any manner;

233 (d) own, acquire, manage, operate, convey or lease infrastructure improvements or any
234 facilities for the Project, including the distribution of public utilities including, but not limited to,
235 electricity, gas, water, waste water and sewer and sewage treatment and disposal, refuse
236 collection and disposal, telecommunications and cable services;

237 (e) develop, own, manage, operate, regulate or lease wells to procure water from
238 productive aquifers underlying the NAS South Weymouth Redevelopment Area in accordance
239 with sections 38 and 39A of chapter 40 of the General Laws and determine and collect, or
240 authorize the collection on its behalf of assessments and other charges related to constructing and
241 maintaining such systems, as provided in said chapter 40; provided, however, that the
242 procurement of such water shall not materially adversely affect the supply of water available to a
243 town;

244 (f) own, manage, operate, regulate, convey or lease facilities of common sewers and main
245 drains, and facilities for waste water and sewage treatment and disposal and determine and
246 collect, or authorize the collection on its behalf, or on behalf of the master developer, of
247 assessments and other charges related to financing, laying out, constructing, operating, and
248 maintaining such systems, as provided in this act and pursuant to chapter 83 of the General
249 Laws;

250 (g) own, manage, operate, regulate or lease surface water reservoirs within the NAS
251 South Weymouth Redevelopment Area or connect to or otherwise purchase or lease water from
252 the water system of a town, any other municipality or any other governmental or quasi-
253 governmental agency or any other public or private entity for the provision of water within the
254 NAS South Weymouth Redevelopment Area, and manage, operate, regulate, convey or lease any
255 and all systems for the delivery of such water within the NAS South Weymouth Redevelopment
256 Area; provided, however, that the procurement of such water does not materially adversely affect
257 the supply of water available to any of the towns;

258 (h) exercise the power of eminent domain within the NAS South Weymouth
259 Redevelopment Area as provided in chapters 79, 79A, 80 and 80A of the General Laws;

260 (i) appoint, prescribe the qualifications and fix the compensation of employees, and pay
261 the same out of funds of the authority;

262 (j) appoint legal counsel and fix compensation for such services rendered to the authority;

263 (k) appoint qualified boards, commissions, committees or subcommittees, including those
264 responsible for zoning, subdivision and other land use or permitting approvals whose members
265 need not be directors of the board, and individuals, in addition to the advisory board established
266 pursuant to section 11, to serve as unpaid advisors under such terms and conditions as it may
267 deem necessary; provided, however, that such boards, commissions, committees, subcommittees
268 and individuals may be reimbursed for incidental expenses determined by the authority to be
269 necessary and incurred while performing the business of the authority;

270 (l) acquire, hold and dispose of personal property within the NAS South Weymouth
271 Redevelopment Area for its corporate purposes;

272 (m) acquire easements and other interests in land directly associated with the NAS South
273 Weymouth Redevelopment Area in connection with the Project;

274 (n) purchase, receive, take by grant, gift, devise, bequest, lease, or otherwise acquire,
275 own, hold, improve, employ, use or otherwise manage real and personal property or any interest
276 therein, whether tangible or intangible, for its purposes, located within the NAS South
277 Weymouth Redevelopment Area, except for any federally-owned property of the former NAS
278 South Weymouth which shall be or has been transferred to the United States Coast Guard and
279 Federal Aviation Administration; provided, however, that when any of the excepted property is
280 declared to be surplus to the needs of the United States government, the authority may obtain any
281 and all like interest in the property as described herein;

282 (o) sell, convey, lease, exchange, transfer, or otherwise dispose of all or any of its real or
283 personal property or any interest therein, using procedures adopted by the authority;

284 (p) apply for and, for the purposes of this act, accept gifts, loans, grants of property,
285 funds, money, materials, labor, supplies or services from a person or from the United States
286 government or its departments or agencies or from an agency of the commonwealth or a political
287 subdivision thereof, or make agreements with respect to any such gifts, loans or grants, and to do
288 any and all things necessary, useful, desirable or convenient in connection with procuring,
289 accepting or disposing of such gifts, loans or grants;

290 (q) purchase, take, receive, subscribe for, or otherwise acquire, hold, make a tender offer
291 for, vote, employ, sell, lend, lease, exchange, transfer or otherwise dispose of, mortgage, pledge
292 or grant a security interest in, use or otherwise deal in and with, bonds and other obligations,
293 shares or other securities or interests therein issued by others, whether engaged in a similar or
294 different business or activity;

295 (r) make and execute agreements, contracts, project labor agreements and other
296 instruments necessary or convenient in the exercise of the powers and functions of the authority
297 under this act, including contracts with a person, firm, corporation, municipality, commonwealth
298 agency, governmental unit or other entity, foreign or domestic;

299 (s) assess and collect taxes, assessments, special assessments, betterments and fees within
300 the NAS South Weymouth Redevelopment Area under the General Laws and the powers granted
301 by this act, in order to generate revenues to pay the cost of operations of the authority, amounts
302 due on outstanding indebtedness of the authority, maintenance of the property, environmental
303 remediation and monitoring of the property and the maintenance of the Project, infrastructure
304 improvements within or associated with the NAS South Weymouth Redevelopment Area in
305 accordance with this act, the General Laws, and zoning by-laws, including the funding
306 provisions thereof and for all other purposes for which cities and towns may assess and collect
307 such taxes, assessments, special assessments, betterments and fees, and distribute revenues in
308 accordance with section 19. In connection with the foregoing, the authority shall have all the
309 powers and authority of cities and towns under chapters 59, 60, 60A, 61B and section 3A of
310 chapter 64G of the General Laws, and any powers that require adoption by cities and towns if
311 adopted by the authority;

312 (t) administer land use, subdivision, zoning and wetland protection controls and
313 associated permitting, approval and entitlement activities within the central redevelopment area,
314 and to enter into agreements with the towns whereby any such activities which the authority may
315 determine shall be more effectively administered by a town shall be within such town's
316 administration, subject to such town's agreement to enter into such agreement(s); provided,
317 further, that any town's administration of such activities pursuant to any such agreement(s) shall
318 be consistent with any expedited permitting standards or requirements then-applicable to the
319 authority's conduct of such activities. Except as otherwise expressly provided in the zoning by-
320 laws: (i) in the administration of the activities authorized under this section in the central
321 redevelopment area, the authority may take action and issue permits, approvals, orders of
322 conditions, and other land-use entitlements in accordance with the procedures and standards
323 from time to time applicable to municipalities and their boards, commissions and agencies so
324 authorized to take such action or to issue any such permit, order of conditions, approval or other
325 entitlement under the General Laws; provided, however, that the regulations developed and
326 adopted by the authority under section 14 may provide for expedited permitting under which the
327 time frames for action applicable to municipalities and their boards, commissions and agencies
328 under the provisions of the General Laws are shortened; and (ii) all such actions, including a
329 failure to take action, and such permits, approvals, orders of conditions or other land-use
330 entitlements shall have the legal effect and duration as provided in the General Laws, except for
331 any shortened time frames expressly provided in such regulations. Upon termination of the
332 authority under section 33, the authority to administer such activities shall be vested in the towns
333 in accordance with the dissolution and administration agreement and the General Laws, but no
334 permit, approval, or other entitlement issued by the authority prior thereto pursuant to this act or
335 pursuant to the Prior Enabling Act or any activity undertaken or improvement made in
336 accordance therewith shall be affected thereby. As further provided in section 14(i), any and all
337 municipal powers which do not involve the administration by the authority of such land use,
338 subdivision, zoning and wetland controls and related entitlement activities shall remain with the

339 towns in which the applicable real property is located unless expressly granted to said authority
340 in this act or elsewhere;

341 (u) develop, adopt, amend, implement and enforce by-laws and regulations for the
342 general administration of the NAS South Weymouth Redevelopment Area pursuant to sections
343 21 through 33 of chapter 40 of the General Laws or as otherwise permitted by law;

344 (v) borrow money at such rate or rates of interest as the authority may determine; issue its
345 notes, bonds or other obligations to evidence such indebtedness, and secure any of its obligations
346 by pledging any of its assessments, betterment fees, rents, fees or other revenues or by mortgage
347 or pledge of all or any of its property, or any interest therein, tangible or intangible, whether then
348 owned or thereafter acquired, as provided in this act, and exercise all other rights and powers of
349 cities and towns under chapter 44 of the General Laws; provided, however, that chapter 44 shall
350 not be applicable to the manner of voting or the limitations as to the amount and time of payment
351 or other details of debts incurred by the authority and, in the event of a conflict between the
352 provisions of this act and chapter 44, the provisions of this act shall apply;

353 (w) arrange for guaranties of its notes, bonds or other obligations by the federal
354 government, the commonwealth, the towns or by any private insurer or otherwise, and to pay any
355 premiums therefor;

356 (x) issue such short and long term notes, bonds or other obligations, whether or not the
357 interest to the holders is exempt from taxation;

358 (y) purchase notes, bonds or other obligations of the authority at such price or prices, in
359 such manner, and upon such terms, as the authority may determine;

360 (z) invest and reinvest its funds in such investments as may be lawful for fiduciaries in
361 the commonwealth, and take and hold property as security for the payment of funds so invested,
362 as provided in section 55 of chapter 44 of the General Laws;

363 (aa) procure insurance against any loss in connection with its property or the Project in
364 such amounts and from such insurers, including the federal government, and directors and
365 officers liability insurance, as it may deem necessary or desirable, and to pay any premiums
366 therefor;

367 (bb) enter into and perform contracts, project labor agreements, and other agreements,
368 whether or not they may be deemed to constitute indebtedness under applicable law, for the joint
369 or separate planning, financing, construction, purchase, operation, maintenance, use, sharing
370 costs of, ownership, mortgaging, leasing, sale, disposal of, or other participation in facilities,
371 products or services of any person who engages in business on property owned or controlled by
372 the authority;

373 (cc) maintain a principal office within the NAS South Weymouth Redevelopment Area;

374 (dd) make any inquiry, investigation, survey, feasibility study or other study which the
375 authority may deem necessary or advisable to enable it to carry out effectively this act;

376 (ee) apply to the appropriate agencies and officials of the federal government and the
377 commonwealth for licenses, permits or approvals, as are ordinarily applied for by cities and
378 towns, of its plans or the Project as it may deem necessary or advisable, and to accept such
379 licenses, permits or approvals as may be tendered to it by such agencies or officials, upon such
380 terms and conditions as it may deem appropriate;

381 (ff) make by-laws and establish committees for the management and regulation of its
382 affairs as it may deem necessary or advisable and, subject to agreement with bondholders, make
383 rules pursuant to its own procedures for the use of the Project and its property, and establish and
384 collect assessments, rentals, fees and all other charges for the use of the Project under the
385 jurisdiction of the authority and for services or commodities sold, furnished or supplied by the
386 authority;

387 (gg) contract for the environmental remediation, construction, operation or maintenance
388 of any part of the Project, or for services to be performed thereon, and rent parts thereof and
389 grant concessions thereon, on such terms and conditions as the authority may determine, in
390 accordance with the zoning by-laws; provided, however, that any such transaction shall be
391 exempt from the public bidding and procurement requirements applicable to bodies politic and
392 corporate of the commonwealth imposed by general or special law, including without limitation,
393 the requirements of chapters 7, 30 and chapter 149 of the General Laws, but excluding sections
394 28 and 29 of said chapter 149, and regulations promulgated thereunder so long as the authority
395 has, pursuant to an affirmative vote and by stating the public convenience and necessity therefor,
396 exempted any such transaction from such requirement;

397 (hh) designate the depositories of its money within the commonwealth;

398 (ii) establish its fiscal year to commence on July 1 and end on June 30 of each year and
399 change the fiscal year from time to time as the authority may deem necessary and appropriate;

400 (jj) take such other actions and exercise such other powers as it may deem necessary,
401 advisable and convenient in the furtherance of the purposes of this act;

402 (kk) apply for and be eligible for any and all available financial and other assistance
403 without further approval of any agency of the commonwealth pursuant to chapters 40R and 40S
404 and similar statutes of the General Laws as a town would be so eligible pursuant to said chapters;
405 provided, however, that the NAS South Weymouth Redevelopment Area shall be deemed to be
406 an approved smart growth zoning district under said chapter 40R, entitling the authority to all
407 funds available under said chapters 40R and 40S in connection therewith, including without
408 limitation density bonus payments and zoning incentive payments; and provided further, that the
409 designation of the NAS South Weymouth Redevelopment Area as a smart growth zoning district

410 shall have no effect on the ability of the towns to otherwise obtain approvals for other land under
411 said chapter 40R;

412 (ll) maintain, regulate, and otherwise own, manage and operate any street, public way or
413 public use of a private way within the NAS South Weymouth Redevelopment Area, including
414 any sewers, drains, sidewalks and other utilities and infrastructure located in any streets and
415 ways, until such time any such street, public way, or public use of a private way is transferred to
416 a town, the master developer, or other third party pursuant to this act or pursuant to land
417 disposition agreements entered into between the authority, the United States Navy, or the master
418 developer; and

419 (mm) assume responsibility for maintaining, monitoring and conducting other activities
420 imposed by any condition of any license, permit or approval, or by any institutional control
421 arising under any environmental law or regulation with respect to the Project.

422 Section 7. The authority shall not be obligated to maintain, operate, improve or provide
423 services, including police and fire protection, for those portions of the NAS South Weymouth
424 which remain in federal ownership, nor shall the authority bear any responsibility or be liable for
425 any injury, damage or loss arising out of or in connection with any activities which may occur on
426 such federal property, nor as a result of any improvements, damage, deterioration or
427 environmental hazards occurring thereon.

428 Section 8. In addition to any other duties set forth in this act, the authority shall
429 coordinate with, and provide information to, the United States and any officials or employees
430 thereof, regarding any matter relating to the ownership, condition, closure, conversion,
431 redevelopment or future use or operations of the NAS South Weymouth Redevelopment Area as
432 required by the Defense Base Realignment and Closure Act. Notwithstanding any other
433 provision of law, the authority shall be the only person or entity in the commonwealth authorized
434 to negotiate, purchase or otherwise obtain on behalf of itself, the commonwealth or any of its
435 political subdivisions, any fee ownership, easement, lease, license or other interest in any
436 property in or on the NAS South Weymouth Redevelopment Area from the United States, except
437 that a governmental entity of the commonwealth may acquire an interest from the authority to
438 such property, if such acquisition and use of the property by a governmental entity of the
439 commonwealth is consistent with the zoning by-laws.

440 Section 9. (a) The powers and management of the authority, which include all rights and
441 powers of a town council or board of selectmen or mayor of a city or town except as otherwise
442 provided in, directed by, or limited by this act, shall be vested in a board of 9 directors to be
443 appointed as follows: (i) 1 member appointed by the board of selectmen of the town of Abington;
444 (ii) 2 members appointed by the board of selectmen of the town of Rockland; (iii) 2 members
445 appointed by the mayor of the town of Weymouth; (iv) 1 member, who is an experienced labor
446 representative and selected by the President of the Norfolk County Labor Council; (v)2

447 members, each of whom shall have legal residency at NAS South Weymouth, one of whom shall
448 be appointed by the Southfield Neighborhood Association and one of whom shall be appointed
449 jointly by the mayor of the town of Weymouth and board of selectmen of Rockland from 4
450 candidates nominated by the Southfield Neighborhood Association, provided, however, that if
451 such mayor and board have not jointly appointed a candidate within 14 days of becoming
452 eligible to make such appointment, the board of the authority shall appoint this member by an
453 affirmative vote of at least 5 members from the 4 candidates nominated under this clause;

454 ; and (vi) 1 member, who shall be a member of the board of the South Shore Chamber of
455 Commerce, selected by said chamber. The board shall appoint a chairman from among its
456 members who shall serve in that capacity at the pleasure of the board.

457 (b) The terms of all 5 members serving on the board as constituted pursuant to the prior
458 enabling act shall be terminated, and such existing board shall be deemed dissolved, on the latter
459 of (i) the date that is 30 days following the effective date of this act and (ii) the date on which a
460 new board composed in accordance with section 9 is fully appointed which such full
461 appointment shall occur no later than 60 days following the effective date of this act. Until the
462 dissolution of the existing board pursuant to this section 9, the existing board shall continue to
463 manage the business and affairs of the authority in the ordinary course and in a manner
464 consistent with this act. Members of the existing board shall be eligible, following dissolution of
465 the existing board, to serve additional terms on the board pursuant to this act. One town
466 appointee from each town shall initially be appointed for a five (5) year term, and all other
467 members shall be appointed for an initial term of three (3) years. Each of the chamber, labor,
468 resident, and town appointees shall thereafter serve terms of 3 years apiece. Any town appointee
469 may also be removed from the board by the executive of the town from which he or she was
470 appointed for reasons deemed by such executive to be sufficient and proper. The resident
471 appointee appointed by the Southfield Neighborhood Association may be removed from the
472 board by the Southfield Neighborhood Association. The other resident appointee may be
473 removed from the board by a vote of the executive authority of town of Weymouth and Rockland
474 for reasons deemed to be sufficient and proper; provided, however, that if the appointee is
475 appointed by the board of the authority, the appointee may only be removed by a majority vote
476 of the board of the authority.

477 The labor representative or chamber representative may be removed by a vote of the
478 executive authority of at least two (2) of the towns. All board members shall be eligible for
479 reappointment to additional terms at the expiration of their current terms. Vacancies shall be
480 filled, as applicable, by the respective appointing authority for each such vacancy. Any action
481 taken by the Authority as such board was seated pursuant to the prior enabling act to remove or
482 terminate the master developer shall be null and void.

483 (c) The town appointees shall have demonstrated expertise and education and experience
484 in 1 or more of the following areas: real estate development, housing, finance, planning, or

485 engineering. The towns shall cooperate to assure the appointment of directors from as many of
486 the foregoing disciplines as possible. The chamber and labor appointees shall have demonstrated
487 expertise in large-scale real estate development and demonstrated expertise in 1 or more of the
488 following areas: housing, finance, business, planning, environment, transportation or municipal
489 government.

490 (d) Five members of the board shall constitute a quorum. The board may act only when a
491 quorum is present, and then only by a majority of those actually voting, which must in all events
492 include at least four affirmative votes.

493 (e) Directors may receive compensation as determined from time to time by the advisory
494 board established by section 11. Directors shall receive reimbursement of such incidental
495 expenses determined by the board to be necessary; provided, however, that the annual
496 compensation of the directors shall not exceed \$6,250 or 80 per cent of the total combined
497 average of the annual salaries of the town councilors of the town of Weymouth, whichever is
498 higher.

499 (f) Directors shall be residents of the commonwealth. No director or employee of the
500 authority shall be a local elected public official of the town of Abington, Rockland or
501 Weymouth, except that residents of the towns of Abington and Rockland who participate in their
502 respective town meetings shall not be restricted from service as a director or employee of the
503 authority. Each resident appointee shall maintain a legal residence within NAS South
504 Weymouth, and each town appointee shall maintain a legal residence in his or her appointing
505 town, at all times during his or her respective term on the board. Any resident or town appointee
506 who fails to maintain his or her legal residence as required shall be automatically disqualified
507 from further service on the board without need for further action by the board or the relevant
508 appointing authority.

509 (g) Public employees or appointed officials of the federal government and the
510 commonwealth and its political subdivisions may serve as directors of the authority so long as
511 their service as director does not constitute a conflict of interest with their duties as public
512 employees or appointed officials.

513 (h) Directors shall be subject to chapter 268A of the General Laws.

514 (i) The directors may, from time to time, by majority vote designate employees of the
515 authority, consultants and other individuals to participate on boards, commissions, committees
516 and other organizations established by the authority or otherwise related to the Project as a
517 representative of the directors.

518 (j) The directors may, from time to time, by majority vote, authorize a person, other than
519 a majority of the board, to issue endorsements, certificates and other ministerial documents in
520 furtherance of actions taken by the board.

521 (k) The officers and directors of the authority shall have the full protections afforded by
522 section 13 of chapter 258 of the General Laws to the same extent as municipal officers in a city
523 or town which has accepted said section 13 of said chapter 258.

524 (l) Sections 18 to 25, inclusive, of chapter 30A of the General Laws shall apply to the
525 authority.

526 Section 10. If a director, or member of his immediate family shall be interested either
527 directly or indirectly, or shall be a director, officer or employee of or have an ownership interest
528 in a firm or authority interested directly or indirectly, in a contract or other matter involving the
529 authority, such interest shall be disclosed to the board and shall be set forth in the minutes of the
530 board. The member having such interest shall not participate on behalf of the authority in any
531 proceeding or decision relating to such contract or matter. For the purpose of this section,
532 immediate family shall include spouse, parent, parent-in-law, brother, brother-in-law, sister,
533 sister-in-law, son, son-in-law, daughter, daughter-in-law and the parent or child of any of such
534 individuals. Notwithstanding the foregoing, or the provisions of chapter 268A of the General
535 Laws, an interest of a resident appointee or of a member of the immediate family of a resident
536 appointee arising solely on account of the appointee's or immediate family member's residing at
537 NAS South Weymouth shall not be disqualifying and shall not be deemed an impermissible
538 conflict of interest.

539 Section 11. (a) There shall be an advisory board to the authority consisting of: (i) 1 voting
540 representative appointed by the town of Abington and 1 voting representative appointed by the
541 town of Hingham; (ii) 2 voting representatives appointed by the town of Rockland and 2 voting
542 representatives appointed by the mayor of Weymouth; (iii) 1 voting representative of the
543 Metropolitan Area Planning Council who shall be a member of and be designated by the board of
544 the council and who shall reside in Norfolk county; (iv) 1 voting representative of the Old
545 Colony Planning Council who shall be a member of and be designated by the board of the
546 council and who shall reside in Plymouth county; and (v) 3 voting representatives to be
547 appointed by the governor, 1 of whom shall be the secretary or a designee, 1 of whom shall be
548 the secretary of housing and economic development or a designee and 1 of whom shall have
549 demonstrated skill and expertise in matters relating to real estate development. The members of
550 the advisory board representing a town shall be appointed by, and serve at the pleasure of, the
551 mayor of the town of Weymouth or board of selectmen of each such other town. The members of
552 the advisory board appointed by the Metropolitan Area Planning Council and the Old Colony
553 Planning Council shall serve at the pleasure of the councils. The members of the advisory board
554 appointed by the governor shall serve at the pleasure of the governor.

555 (b) The total voting membership of the advisory board shall be 11 votes, equally
556 weighted. The advisory board may act at regular periodic meetings called in accordance with its
557 by-laws or at a special meeting called by the authority or by 6 or more members of the advisory
558 board. A quorum of the advisory board shall consist of 6 representatives. The advisory board

559 may act by the affirmative vote of a majority of the representatives present that constitute a
560 quorum.

561 (c) For the conduct of its business the advisory board shall adopt and may revise and
562 amend its own by-laws. The advisory board shall annually elect from among its members a
563 chairperson, a vice chairperson and a secretary and such other officers as the advisory board may
564 determine. Each such officer shall serve in such capacity at the pleasure of the advisory board
565 and may be removed from such position by majority vote of the advisory board. In the event of a
566 vacancy, the appointing authority shall fill the vacancy for the unexpired term. Each member of
567 the advisory board shall serve without compensation but may be reimbursed for all reasonable
568 expenses incurred in the performance of his or her duties as approved by the advisory board and
569 the authority.

570 (d) The purposes of the advisory board shall be as follows: (i) to review the annual report
571 of the authority and to prepare comments thereon for the benefit of the authority, the governor
572 and the towns, and to make such examinations of the reports on the authority's records and
573 affairs as the advisory board deems appropriate; (ii) to hold regular meetings twice annually with
574 the board of directors of the authority and, at the discretion of the advisory board and with the
575 concurrence of the board of directors of the authority, special meetings with the board of
576 directors of the authority as it deems necessary and appropriate on matters relating to the
577 authority, and to hold meetings at other times as the advisory board may determine; (iii) to make
578 recommendations to the authority on any budget; (iv) to make recommendations to the governor,
579 the general court and the towns regarding the authority, its programs, and the Project; and (v) to
580 determine, from time to time, compensation for the directors pursuant to section 9.

581 (e) The authority shall provide such reasonable administrative and staff support to the
582 advisory board as may be necessary for the efficient discharge of the advisory board's
583 responsibilities pursuant to this act.

584 (f) Notwithstanding the provisions of chapter 268A of the General Laws, an interest of an
585 advisory board member or of a member of the immediate family of an advisory board member
586 arising solely on account of the member's or immediate family member's residing at NAS South
587 Weymouth shall not be disqualifying and shall not be deemed an impermissible conflict of
588 interest.

589 Section 12. The board may from time to time hire employees and engage outside vendors
590 or consultants, or both, as necessary to achieve the orderly functioning of the authority.
591 Employees of the authority shall not be subject to the provisions of chapter 30 or section 45, 46,
592 51 or 52 of chapter 31 of the General Laws. Employees of the authority shall be subject to the
593 provisions of chapter 268A of the General Laws. Compensation for employees of the authority
594 shall be set by the board.

595 Section 13. The board may hire, fix and pay compensation, prescribe duties and
596 qualifications and establish personnel policies without regard to any personnel or civil service
597 law or personnel or civil service rule of the commonwealth. The employees of the authority
598 shall not be classified employees of the commonwealth. An individual employed by the
599 authority shall be deemed an employee at will and shall serve at the pleasure of the authority.

600 Section 14. (a)(1) The reuse plan is rescinded and terminated in its entirety and is to be of
601 no further force and effect.

602 (2) The master plan is rescinded and terminated in its entirety as of the effective date of
603 this sub-section, and is to be of no further force and effect.

604 (3) Notwithstanding the foregoing: (i) the provisions in the reuse plan regulating the
605 phasing of residential and commercial development within the project shall be deemed to be
606 abrogated and of no further force and effect as of the effective date of this act; and (ii) the
607 provisions in the reuse plan governing the provision of “Affordable” housing or “Workforce”
608 housing, as such terms are defined in the affordable and workforce housing plan and the
609 affordable and workforce housing regulations, are deemed abrogated and of no further force and
610 effect as of the effective date of this act, and shall be replaced, as of the effective date of this act,
611 by the requirements of section 14(b)(2).

612 (4) The zoning by-laws shall remain in effect, subject to their modification
613 pursuant to the procedures set forth in this section. Such zoning by-laws, as they be modified in
614 accordance with this from time to time, shall supersede the zoning by-laws of the towns with
615 respect to land in the NAS South Weymouth Redevelopment Area.

616 (b) Notwithstanding the termination of the reuse plan pursuant to section 14(a), the
617 following elements of the reuse plan, as they may be modified below, shall remain applicable to
618 the Project:

619 (1) the commercial minimum, the residential maximum, and the senior housing minimum
620 as defined in section 4. The zoning by-laws shall be administered and amended as necessary to
621 enforce and effectuate the commercial minimum, the senior housing minimum, and the
622 residential maximum; provided, however, that nothing in this act shall be construed to prevent
623 each town, acting in its sole discretion and consistent with other law, to allow (i) Commercial
624 Development within the portion of the NAS South Weymouth Redevelopment Area within its
625 municipal borders to exceed an amount that would cause the total amount of commercial
626 development within NAS South Weymouth to exceed 2,000,000 square feet, or (ii) senior
627 housing development within its portion of the NAS South Weymouth Redevelopment Area to be
628 developed to an extent that would cause either the senior housing minimum or the residential
629 maximum to be exceeded on a project-wide basis; and provided further that no town shall
630 administer or amend the zoning by-laws in a manner that prevents the development of the
631 residential maximum;

632 (2) notwithstanding anything to the contrary contained in this act or any other general or
633 special law or bylaw or regulation of the authority, or in any existing agreement between the
634 master developer and the authority or any other entity, of the residential units at NAS South
635 Weymouth, a minimum of 10% shall meet the requirements of “Affordable” housing or
636 “Workforce” housing, as such terms are defined in the affordable and workforce housing plan
637 and the affordable and workforce housing regulations. Affordable or workforce housing
638 constructed within NAS South Weymouth prior to the effective date of this act shall be counted
639 towards the aggregate 10% minimum requirement;

640 (3) the Project shall be planned and built-out consistent with the “smart growth” and
641 “sustainable” principles articulated in the reuse plan; and

642 (4) passive and active recreational facilities shall be included in the further development
643 of NAS South Weymouth, with such facilities to be of the type identified in the reuse plan.
644 Notwithstanding the generality of the preceding sentence, the master developer shall not be
645 required to construct or operate a golf course.

646 (c) Major zoning revisions shall not be effective until the town in which the land that is
647 the subject of such revision is located approves the revision. No town shall consider a major
648 zoning revision except at the initiative of the applicable town executive, the master developer,
649 the town’s planning board, the town council in the case of Weymouth or a person owning land to
650 be affected by the revision. Within 90 days of receipt of a petition for a proposed major zoning
651 revision, the receiving town shall convene a meeting of the town council in Weymouth or a town
652 meeting if in Rockland or Abington for the purpose of adopting the proposed major zoning
653 revision. The towns shall notify the authority of any major zoning revisions they may adopt,
654 such notice to be provided within thirty days of obtaining the attorney general’s approval of such
655 revision if required pursuant to section 32 of chapter 40 of the General Laws. All other
656 provisions of chapter 40A of the General Laws shall apply, except that the towns may reconsider
657 a proposed major zoning revision pursuant to this Act within six months of an unfavorable action
658 notwithstanding anything to the contrary in section 5 of chapter 40A of the General Laws.
659 Pursuant to chapter 44, section 53G of the General Laws, a town may request, and the master
660 developer may elect to provide, reimbursement for legal fees incurred by the town in connection
661 with the passage of this act.

662 (d) The board shall have the authority to make minor zoning revisions. In addition, the
663 board shall within 90 days of its initial establishment under section 9(b), make all revisions to the
664 existing zoning by-laws and the reuse plan necessary to make the zoning by-laws conform to this
665 act, including changes that eliminate all reference in the existing zoning by-laws to the reuse plan
666 or the master plan. The authority shall be responsible for maintaining a codification of the
667 zoning by-law that reflects all major zoning revisions adopted by the various towns, all minor
668 zoning revisions adopted by the board, and all revisions to the zoning map made pursuant to
669 section 14(e).

670 (e) The zoning map shall be deemed as of the effective date of this act to be revised to
671 establish town-specific sub-districts within any zoning district that is shown on the existing
672 zoning map as falling within more than one town. Within 180 days of the effective date of this
673 act, the master developer and the applicable executive or executives shall jointly petition the
674 applicable town or towns to initiate a zoning map amendment process that establishes the
675 dedicated commercial zone. Notwithstanding anything to the contrary in this act or any General
676 Law, no town may, before a time that is fifteen years from the effective date of this act, revise
677 the location or boundaries of portions of the dedicated commercial zone that falls within its
678 borders except at the joint initiative of the master developer and that town's executive.

679 (f) Revisions to the zoning by-laws pursuant to section 14(d) shall be by majority vote of
680 the board. Prior to approving any minor zoning revision pursuant to section 14(d), the authority
681 shall publish a notice of public hearing in a newspaper of general circulation within the NAS
682 South Weymouth Region, send copies of the proposed zoning revision to the Board of Selectmen
683 in the Towns of Rockland and Abington, and Mayor of Weymouth, and hold at least one public
684 hearing in the NAS South Weymouth Redevelopment Area or in any one of the towns at which
685 the public shall be afforded the opportunity to comment on the proposed revision. The
686 administrative provisions of the zoning by-laws or of any other regulation promulgated by the
687 authority may provide for expedited permitting under which the time frames for actions,
688 including a failure to take action, applicable to municipalities and their boards, commissions and
689 agencies under the provisions of the General Laws may be shortened. Nothing in this section
690 shall require the authority to be governed by the requirements of chapter 30A of the General
691 Laws.

692 (g) The procedures set forth in this section for adopting revisions to the zoning by-laws
693 shall be exclusive notwithstanding any general or special law to the contrary.

694 (h) Regulations for the effective implementation and enforcement of the zoning by-laws
695 and revisions thereof shall be developed and adopted by the authority, pursuant to section 6. No
696 regulation shall be adopted by the authority without first publishing notice of same in a
697 newspaper of general circulation within the NAS South Weymouth Region, holding at least one
698 public hearing in the NAS South Weymouth Redevelopment Area or in any one of the towns,
699 and affording the opportunity for public comment. Nothing in this section shall require the
700 authority to be governed by the requirements of chapter 30A of the General Laws.

701 (i)(1) As authorized in section 6(t), the authority shall have exclusive authority to issue
702 and enforce land use, subdivision and zoning permits, approvals, orders of conditions and other
703 entitlements pursuant to the zoning by-law, regulations promulgated pursuant to section 14(h),
704 subdivision regulations, and wetland protection laws in effect within the Central Redevelopment
705 Area. Such authority shall include the exclusive jurisdiction to sit as a permit granting authority
706 pursuant to section 15 of chapter 40A of the General Laws. All other permitting, licensing,
707 enforcement and entitlement authority vested in or conferred on municipalities, their executives,

708 or their various departments and boards including without limitation their boards of health and
709 inspectional services departments pursuant to the General Laws shall be vested in the town in
710 which the applicable portion of the Project is located. Without limiting the generality of the
711 preceding sentence, each town's inspectional services department will be responsible for issuing
712 and enforcing building permits and certificates of occupancy for construction activities occurring
713 within the respective town's borders.

714 (2) The town of Weymouth is authorized to issue a maximum of 13 alcoholic beverage
715 licenses within the portion of the NAS South Weymouth Redevelopment Area located within
716 Weymouth in accordance with chapter 138 of the General Laws, and the town of Rockland is
717 authorized to issue a maximum of 13 alcoholic beverage licenses within the portion of the NAS
718 South Weymouth Redevelopment Area located within Rockland in accordance with said chapter
719 138; provided, however, that said licenses shall not diminish the number of licenses permitted by
720 the commonwealth to be granted elsewhere within the towns of Weymouth or Rockland. None
721 of the licenses authorized by this section shall be transferable outside the NAS South Weymouth
722 Redevelopment Area. Nothing in this section shall be deemed to limit the ability of the towns to
723 issue entertainment licenses and temporary alcoholic beverage licenses as it deems necessary and
724 appropriate for activities occurring within their respective borders.

725 (j) All decisions and determinations of the authority, whether legislative or adjudicatory
726 in nature, shall be appealable by persons aggrieved by such decision or determination in
727 accordance with applicable provisions of the General Laws. Where any applicable General Law
728 requires notice of any such appeal to be filed with a municipal clerk, such filing shall be made
729 with the clerk of the authority, and with the clerk of the town or towns in which the land directly
730 affected by such decision or determination is located.

731 (k) Nothing in this act shall be interpreted as modifying or abrogating any permit,
732 approval or entitlement issued by the commonwealth in relation to the project and pursuant to
733 any law relating to the protection of human health or the environment.

734 Section 15. The board is hereby directed, within 90 days of its initial installation
735 pursuant to section 9(b), to revise, re-promulgate, re-issue, re-negotiate, and re-execute all
736 regulations promulgated by the authority and currently in effect and all material agreements
737 including the DDA in effect between the authority and the master developer, solely for the
738 purpose of conforming such regulations, agreements and other documents to this act. Without
739 limiting the generality of the foregoing, the DDA, as renegotiated pursuant to this section 15
740 shall:

741 (a) assign to the master developer the responsibility for procuring, financing, operating
742 and maintaining the permanent water supply and wastewater infrastructure for the Project, and
743 shall require the master developer to allocate and reserve, for the benefit of the Dedicated
744 Commercial Zone, such portions of the permanent water supply and wastewater infrastructure as

745 are adequate and necessary to serve commercial development within said zone. The DDA shall
746 provide that the foregoing obligations will be contingent on (i) the execution by the
747 commonwealth of an amendment contemplated by section 34(b), (ii) a funding agreement
748 contemplated by section 34(c), and (iii) the amendment of the trust indenture to permit the
749 towns' collection and remittance of pledged revenue, as contemplated in section 19(a), or
750 confirmation that no such amendment is required in order to permit such collection and
751 remittance, as evidenced by a certificate delivered to the Secretary on or before October 15, 2014
752 by the trustee under the trust indenture. The permanent water and wastewater infrastructure may
753 include the construction of a wastewater treatment plant and associated groundwater discharge
754 facilities in the locations contemplated for such infrastructure in the master plan. Nothing in this
755 section shall prevent the master developer from entering agreements that assign or delegate all or
756 some of the master developer's rights or obligations with respect to the operation and
757 maintenance of the permanent water supply and wastewater infrastructure to qualified third
758 parties including, with their consent, any of the towns; and (b) not include any provision
759 imposing monetary penalties or forfeitures on the master developer in the event the master
760 developer elects not to develop a golf course as part of the Project.

761 Section 16. The executive office for administration and finance and the executive offices
762 of housing and economic development and of labor and workforce development shall identify a
763 senior staff member who shall assist the towns with establishing a method for coordinating 1-
764 stop licensing for all businesses and developments to be located within the NAS South
765 Weymouth Redevelopment Area for the purpose of expediting the process for obtaining
766 commonwealth licenses, permits, certificates, approvals, registrations, charters and meeting any
767 other requirements of law.

768 Section 17. Each public agency in the commonwealth involved in the development or
769 financing of economic development projects shall develop a coordinated 1-stop program for
770 businesses, institutions and private parties that may intend to locate in the NAS South Weymouth
771 Redevelopment Area in order to enable development activities within the NAS South Weymouth
772 Redevelopment Area to be more effectively promoted by the commonwealth.

773 Section 18. (a) The authority may fix, revise, charge, collect, levy and abate betterments,
774 assessments, special assessments and fees, and other charges for the cost, administration and
775 operation of the infrastructure improvements. In providing for the payment of the cost of the
776 infrastructure improvements or for the use of the infrastructure improvements, the authority may
777 avail itself of the General Laws relative to the assessment, apportionment, division, fixing,
778 reassessment, revision, abatement and collection of infrastructure charges, including betterments,
779 assessments, special assessments and fees by municipalities, or the establishment of liens
780 therefor and interest thereon, and the procedures set forth in sections 5 and 6 of chapter 254 of
781 the General Laws for the foreclosure of liens, as it shall deem necessary and appropriate for
782 purposes of the assessment and collection of such infrastructure improvement charges.
783 Notwithstanding any general or special law to the contrary, the authority may pay the entire cost

784 of any infrastructure improvements, including the acquisition thereof, during construction or
785 after completion, or the debt service of notes or bonds used to fund such costs, from betterments,
786 assessments, special assessments, fees, or other charges, and may establish the betterments,
787 assessments, special assessments, fees or other charges, prior to, during, or a reasonable time
788 following the completion of the construction of such infrastructure improvements. The authority
789 may establish a schedule for the payment of betterments, assessments, special assessments, fees
790 or other charges, not to exceed 35 years. The authority may determine the circumstances under
791 which the betterments, assessments, special assessments, fees and other charges, may be
792 increased, if at all, as a consequence of delinquency or default by the owner of that parcel or any
793 other parcel within the NAS South Weymouth Redevelopment Area.

794 (b) The betterments, assessments, special assessments, fees and other charges of general
795 application authorized by this act may be increased in accordance with the procedures to be
796 established by the authority for assuring that interested persons are afforded notice and an
797 opportunity to present data, views and arguments. The initial schedule of assessments, special
798 assessments, fees and other charges, may be adopted by the authority at any scheduled meeting
799 of the board, provided that notice of the meeting, and the proposed schedule, is sent to each
800 owner of a parcel within the NAS South Weymouth Redevelopment Area, by registered or
801 certified mail at least 7 days prior to the meeting. Thereafter, the authority shall hold at least 1
802 public hearing on a revision to its schedule of betterments, assessments, special assessments, fees
803 and other charges thereof prior to adoption by the authority, notice of which revisions shall be
804 delivered to the towns and shall be published in a newspaper of general circulation in each of the
805 towns at least 1 month in advance of the hearing. No later than the date of such publications, the
806 authority shall make available to the public and deliver to the towns the proposed revisions to the
807 schedule of special assessments, fees, betterments, assessments and other charges. The
808 betterments, assessments, special assessments, fees and other charges established by the
809 authority shall not be subject to supervision or regulation by any department, division,
810 commission, board, bureau or agency of the commonwealth or its political subdivisions,
811 including without limitation, the towns, except for the approval of the taxation plan and any
812 amendments thereof requiring approval by the secretary and commissioner of the department of
813 revenue.

814 (c) The betterments, assessments, special assessments, fees and other charges established
815 by the authority in accordance with this act shall be fixed and adjusted in respect of the aggregate
816 thereof so as to provide revenues sufficient: (i) to pay the principal of, premium, if any, and
817 interest on bonds, notes or other evidences of indebtedness issued by the authority under this act
818 as the same become due and payable; (ii) to create and maintain such reasonable reserves as may
819 be reasonably required by a trust agreement or resolution securing bonds or notes; (iii) to provide
820 funds for paying the cost of necessary repairs, replacements and renewals of infrastructure
821 improvements; and (iv) to pay or provide for an amount that the authority may be obligated to
822 pay or provide for by law or contract, including a resolution or contract with or for the benefit of

823 the holders of its bonds and notes, provided that the authority shall not be required to increase
824 any mandatory betterments, assessments, special assessments, fees or other charges by virtue of
825 any individual proprietor delinquencies. Nothing herein shall be deemed to impose a limitation
826 on the authority's ability to establish, set, or impose betterments, assessments, special
827 assessments, fees or charges at levels sufficient to meet any covenant requirements that may be
828 contained in any resolution or contract with or for the benefit of the holders of its bonds or notes,
829 or otherwise providing security for the same.

830 (d) As an alternative to levying betterments, assessments, special assessments, fees and
831 other charges under this act or the General Laws, the authority may levy special assessments on
832 real estate within the NAS South Weymouth Redevelopment Area to finance the cost,
833 administration and operation of the infrastructure improvements. In determining the basis for
834 and amount of the special assessment, the cost, administration, maintenance and operation of the
835 infrastructure improvements, including the cost of the repayment of the debt issued or to be
836 issued by the authority to finance the improvements, may be calculated and levied using any of
837 the following methods that result in fairly allocating the costs of the infrastructure improvements
838 to the real estate in the NAS South Weymouth Redevelopment Area: (1) equally per length of
839 frontage, or by lot, parcel or dwelling unit, or by the square footage of a lot, parcel or dwelling
840 unit; (2) according to the value of the property; or (3) in any other reasonable manner that results
841 in fairly allocating the cost, administration and operation of the infrastructure improvements,
842 according to the benefit conferred or use received including, but not limited to, by classification
843 of commercial or residential use or distance from the infrastructure improvements.

844 (e) The authority may also provide for the following: (1) a maximum amount to be
845 assessed with respect to any parcel; (2) a tax year or other date after which no further special
846 assessments under this section shall be levied or collected on a parcel; (3) annual collection of
847 the levy without subsequent approval of the authority; (4) the circumstances under which the
848 special assessment levied against a parcel may be increased, if at all, as a consequence of
849 delinquency or default by the owner of that parcel or any other parcel within the NAS South
850 Weymouth Redevelopment Area; and (5) procedures allowing for the prepayment of
851 betterments, assessments, special assessments, fees and other charges under this act.

852 (f) Betterments, assessments, special assessments, fees and other charges levied under
853 this act shall be collected and secured in the same manner as property taxes, betterments,
854 assessments and fees owed to the towns unless otherwise provided by the authority and shall be
855 subject to the same penalties and the same procedure, sale and lien priority in case of
856 delinquency as is provided for such property taxes, betterments and liens owed to the towns.

857 (g) The appellate tax board shall have jurisdiction within the NAS South Weymouth
858 Redevelopment Area pursuant to chapter 58A of the General Laws to the same extent as its
859 jurisdiction in cities and towns. The authority shall have exclusive responsibility for paying any
860 reimbursement payments owed under section 69 of chapter 59 of the General Laws, or otherwise,

861 as a result of the abatement, by such board or another body of competent jurisdiction, of any
862 property tax assessments made by the authority prior to the complete transition of the assessing
863 and taxing power to the towns pursuant to section 19(a).

864 Section 19. (a) Notwithstanding any general or special law to the contrary, property taxes
865 upon personal property, persons, residents and estates lying within the NAS South Weymouth
866 Redevelopment Area, including both the central redevelopment area and the perimeter area,
867 shall, commencing as of January 1, 2015, for the fiscal year commencing July 1, 2015, be
868 imposed, levied and administered by each town for its respective portion of NAS South
869 Weymouth, consistent with the General Laws that are applicable to municipalities. The towns
870 shall collect upon the estates, real and personal, within NAS South Weymouth a property tax rate
871 equal to the base rate plus the Southfield rate. In connection with the foregoing, the towns shall
872 have all the powers and authority of cities and towns under chapters 40, 59, 60, 60A, 61B and
873 section 3A of chapter 64G of the General Laws including, with respect to unpaid taxes due and
874 owing as a result of prior assessments by the South Shore Tri-Town Development Corporation,
875 the exclusive power to exercise enforcement and collection rights pursuant to chapter 60 of the
876 General Laws and other relevant law, and may accept a local option under a general or special
877 law related to the assessment, exemption or enforcement of property taxes and excises that cities
878 and towns may accept. A property tax bill issued by a town pursuant to this section 19(a) prior to
879 the town's first opportunity to issue assessments pursuant to section 21 of chapter 59 shall be
880 based on the assessed value established by the authority in its most recent assessment of the
881 property in question or such other assessed value as may have been determined for such property
882 through abatement proceedings. The board shall notify each town of the Southfield rate to be
883 charged in the next following fiscal year no later than March 1 of each year, and of the amount of
884 pledged revenue to be remitted to the authority in the next following fiscal year, as provided
885 below. The Southfield rate shall not be set for any given fiscal year until at least 45 days after
886 the board provides each executive with written notice of and an opportunity to comment on the
887 proposed rate and the Authority operating budget on which it is based. During such 45-day
888 period, the executives in Rockland and Abington, and the town council in Weymouth to which
889 the rate-setting notice shall be referred by the mayor of Weymouth shall convene a public
890 hearing for the purpose of obtaining public comment on the proposed Southfield rate. No later
891 than 30 days after collection of property taxes for each fiscal quarter, each town shall remit to the
892 authority the Southfield revenue collected by such town in the preceding fiscal quarter. Each
893 town shall also, with each remittance of Southfield Revenue to the authority, remit pledged
894 revenue that it collected during the relevant period. Nothing in this act shall be deemed to limit a
895 town's ability, in respect of any given fiscal year or other period, to remit property tax revenue in
896 excess of Southfield revenue to the authority. Southfield revenue shall not be deemed to
897 constitute any part of "total taxes assessed" by the towns for the purposes of administering
898 section 21C of chapter 59 of the General Laws. Land and improvements located within each
899 town's respective portion of NAS South Weymouth shall, in the fiscal year commencing July 1,
900 2015, be deemed for all purposes to be additional new growth within that town within the

901 meaning of paragraph (f) of section 21C of chapter 59 of the General Laws and section 23D of
902 said chapter 59.

903 (b) In consideration of the collection and retention of base revenue pursuant to section
904 19(a) and of the transfer of ways and associated infrastructure pursuant to section 19(c),
905 commencing January 1, 2015, each town shall assume responsibility for providing police and fire
906 protection, emergency services, schools, public way maintenance, public works, inspectional and
907 other municipal services, not including waste collection, to its respective portion of NAS South
908 Weymouth except for portions owned or controlled by agencies of the United States government
909 on the same basis and terms as it provides such services to other parts of the town.
910 Notwithstanding the generality of the preceding sentence, no town shall be required to provide
911 water or sewer services to any portion of NAS South Weymouth except pursuant to agreement
912 with the authority or the master developer including pursuant to the phase I water and
913 wastewater agreement. For purposes of determining state education assistance, including
914 without limitation the calculation of each town's foundation enrollment under chapter 70 of the
915 General Laws, each school-age child living within NAS South Weymouth shall be counted as a
916 child enrolled in the town in which the child resides, and all expenses incurred by each
917 respective town on behalf of such childrens' education shall be included as expenses of the town
918 incurring such costs in the determination of each respective town's share of such assistance,
919 including without limitation each town's foundation budget under said chapter 70.

920 (c) No later than January 1, 2015, the authority and the master developer, as the case may
921 be, will take all actions necessary to transfer to the applicable town control of all existing public
922 ways, or ways maintained and used as public ways, located within NAS South Weymouth,
923 together with associated infrastructure including public utilities and sewer and storm drain lines
924 located within or adjacent to the rights of way of such ways, and each town shall, without regard
925 to the requirements of chapter 82 of the General Laws or other general or special laws, accept the
926 applicable portion of such way or ways as a public way in said town. Each town shall accept as
927 a public way any new public way and associated infrastructure developed, constructed or
928 acquired by the authority or the master developer, as the case may be, within NAS South
929 Weymouth following the effective date of this act provided the board has approved the layout
930 and construction of such way consistent with the authority's subdivision regulations, and
931 provided further that the customary street acceptance procedures of the town in which the way is
932 to be accepted as a public way are satisfied and such town agrees that the way has been
933 constructed in accordance with such regulations. Notwithstanding any general or special law to
934 the contrary, (i) public ways or portions thereof located within NAS South Weymouth and for
935 which a town assumes maintenance, repair and other obligations pursuant to this section 19(c)
936 shall be included in the apportionment for such town of state assistance to cities and towns under
937 chapter 90 of the General Laws or under any other statute or program providing financial
938 assistance to cities and towns of the commonwealth in connection with transportation matters,
939 (ii) any other attributes of a town located within NAS South Weymouth including without

940 limitation population and employment shall likewise be included for purposes of such
941 apportionment, and (iii) improvement, maintenance, repair or other projects related to said public
942 ways shall be eligible for such assistance. The provisions of this section 19(c) shall not apply to
943 the parkway, existing and future portions of which shall remain subject to the master developer's
944 control until such time as the master developer transfers control to a third party on such terms as
945 the master developer and such third party may agree.

946 (d) Except for the phase I water and wastewater agreement and the consecutive water
947 agreement, any existing agreements between the towns and the authority or the master developer,
948 as applicable, related to the provision of municipal services to NAS South Weymouth, and the
949 rates charged for such services, shall be rescinded and shall have no further force and effect as of
950 January 1, 2015. The phase I water and wastewater agreement is hereby deemed to be extended
951 until July 1, 2016, notwithstanding any prior expiration of such agreement that may have
952 occurred according to its terms. The term of the consecutive water agreement may be subject to
953 modification by and between the parties thereto and in accordance therewith.

954 (e) Unless (i) the parties execute an amendment contemplated by section 34(b), (ii) a
955 funding agreement is negotiated as contemplated by section 34(c), and (iii) the trust indenture is
956 amended to permit the towns' collection and remittance of pledged revenue, as contemplated in
957 section 19(a), or confirmation is provided that no such amendment is required in order to permit
958 such collection and remittance, as evidenced by a certificate delivered to the secretary on or
959 before October 15, 2014 by the trustee under the trust indenture , then section 19(a), 19(b), 19(c),
960 and 19(d) shall be considered void, and the matters addressed in said sections shall continue to
961 be addressed as they were under the prior enabling act. Following the termination of the
962 authority in accordance with section 33, each town shall have the authority to assess, impose,
963 levy and collect property taxes on properties located within its respective portion of the NAS
964 South Weymouth Development Area on the same basis as such town administers its property tax
965 collection system elsewhere within the town. In the event that sections 19(a), 19(b), 19(c), and
966 19(d) of this act are void for reasons set forth in this paragraph, excess revenues of the authority,
967 as that term is defined in the reuse plan and zoning by-laws , shall be distributed by the board
968 annually within 120 days following the end of the authority's fiscal year to the towns on a ratable
969 basis according to the then-assessed value of land within their respective portions of NAS South
970 Weymouth.

971 (f) This section shall take effect upon approval by the secretary and the commissioner of
972 revenue of a taxation plan prepared by the board in consultation with the towns for the purpose
973 of ensuring the orderly assessment and collection of property and other taxes, and payment of
974 bonds or notes secured with a pledge of such taxes under this section. The taxation plan shall be
975 submitted to the secretary and the commissioner on or before October 15, 2014. The taxation
976 plan shall detail the specific powers and duties of the authority and the towns; provide for the
977 timely transfer of assessment and collection records from the authority to the towns; detail the
978 oversight to be provided by the commissioner of revenue regarding the base rate and Southfield

979 rate, including required reports and other information; and address such other pertinent matters
980 as determined by the secretary and the commissioner of revenue.

981 Section 20. (a) The authority may provide by resolution of the board for the issuance of
982 bonds and notes of the authority for the purposes of paying or refinancing all or any part of the
983 cost of the Project and its infrastructure improvements. Such cost shall include the cost of: (1)
984 construction, reconstruction, renovation and acquisition of all lands, structures, real or personal
985 property, rights, rights-of-way, franchises, easements and interests acquired or to be acquired by
986 the authority, the towns, the commonwealth or any other political subdivision thereof, including
987 the costs of any infrastructure and improvements to be transferred to the towns in accordance
988 with section 19(c); (2) all machinery and equipment including machinery and equipment needed
989 to expand or enhance services from the towns, the commonwealth or a political subdivision
990 thereof to the authority; (3) financing charges and interest prior to and during construction, and
991 for a period not exceeding 1 year after completion of the construction, interest and reserves for
992 principal and interest, including costs of municipal bond insurance and any other type of
993 financial guaranty and costs of issuance; (4) extensions, enlargements, additions and
994 enhancements to infrastructure improvements; (5) architectural, engineering, financial and legal
995 services; (6) plans, specifications, studies, surveys and estimates of costs and of revenues; (7)
996 administrative expenses necessary or incident to the construction, acquisition, financing,
997 operation and maintenance of the Project; and (8) other expenses as may be necessary or incident
998 to the construction, acquisition, operation, maintenance and financing of the infrastructure
999 improvements, including the cost of issuing bonds or notes. The authority may issue up to
1000 \$175,000,000 of its bonds. The authority may issue bonds secured in whole or in part by
1001 betterments, assessments, special assessments, fees and other charges, notes, debentures, long
1002 term capital leases, grants and governmental assistance and long-term contracts; provided that
1003 the authority may not secure any bonds or notes issued after the effective date of this section
1004 with a pledge or other commitment of ad valorem property taxes assessed by the authority or the
1005 towns pursuant to section 19. The principal of and interest on such bonds shall be payable solely
1006 from the funds which are identified by the authority and are permitted by this act to provide for
1007 such payment. The bonds of each issue shall be dated, shall bear interest at such rates, which
1008 may be variable or fixed, and shall mature at times not exceeding 35 years from their dates of
1009 initial issuance, as the authority may determine, and may be made redeemable before maturity, at
1010 the option of the authority, at such prices and under such terms and conditions as the authority
1011 may fix prior to the issuance of the bonds. The authority shall determine the form of the bonds
1012 and the manner of execution of the bonds, and shall fix the denominations of the bonds and the
1013 places of payment of principal and interest, which may be at a bank or trust company within or
1014 without the commonwealth and such other locations as designated by the authority. In the event
1015 an officer whose signature or a facsimile of whose signature shall appear on any bonds shall
1016 cease to be an officer before the delivery of the bonds, the signature or facsimile shall
1017 nevertheless be valid and sufficient for all purposes as if such officer had remained in office until
1018 the delivery. The bonds shall be issued in registered form. The authority may sell the bonds in a

1019 manner and for a price, either at public or private sale, as it may determine to be for the best
1020 interests of the authority.

1021 (b) Prior to the preparation of definitive bonds, the authority may, under like restrictions,
1022 issue interim receipts or temporary notes, with or without coupons, exchangeable for definitive
1023 bonds when such bonds have been executed and are available for delivery. The authority may
1024 also provide for the replacement of bonds that shall become mutilated or shall be destroyed or
1025 lost. The authority may issue, from time to time, notes of the authority in anticipation of federal,
1026 state or local grants for the cost of the Project and acquiring, constructing or improving the
1027 infrastructure improvements. The notes shall be authorized, issued and sold in the same manner
1028 as provided in, and shall otherwise be subject, this act. Such notes shall mature at such times as
1029 provided by the issuing resolution of the authority and may be renewed from time to time;
1030 provided, however, that all such notes and renewals thereof shall mature on or before 20 years
1031 from their date of issuance. Bonds and notes may be issued under this act subject only to those
1032 proceedings, conditions or things that are specifically required by this act.

1033 (c) The authority may provide by resolution for issuance of refunding bonds of the
1034 authority for the purpose of refunding bonds then outstanding at maturity or upon acceleration or
1035 redemption. Refunding bonds may be issued at such times prior to the maturity or redemption of
1036 the refunded bonds as the authority deems to be in the public interest. Refunding bonds may be
1037 issued in sufficient amounts to pay or provide for the principal of the bonds being refunded under
1038 this act, and the payment of a redemption premium thereon and interest accrued or to accrue to
1039 the date of redemption of such bonds, and, if deemed advisable by the authority, for the
1040 additional purpose of paying any cost of the Project, including the acquisition, constructing or
1041 reconstructing of the infrastructure improvements. The issuance of such bonds, the maturities
1042 and other details thereof, the rights of the holders thereof, and the duties of the authority in
1043 respect to the same shall be governed by this act insofar as the same may be applicable.

1044 (d) While bonds issued by the authority remain outstanding, the powers, duties or
1045 existence of the authority shall not be diminished or impaired in any way that will adversely
1046 affect the interests and rights of the holders of such bonds.

1047 (e) The board may by resolution delegate to a person, other than a majority of the board,
1048 the power to determine any of the matters set forth in this section.

1049 (f) Bonds and notes issued under this section, unless otherwise authorized by law, shall
1050 not be deemed to constitute a debt of the commonwealth or of the towns, or a pledge of the faith
1051 and credit of the commonwealth or of the towns, but such bonds shall be payable solely from the
1052 funds of the authority or as otherwise provided in this act. Unless the towns or the
1053 commonwealth subsequently agree to pay the bonds or notes of the authority, such bonds and
1054 notes shall contain on their faces a statement to the effect that neither the commonwealth nor the
1055 towns shall be obliged to pay the same or the interest thereon and that neither the faith and credit

1056 nor taxing power of the commonwealth or the towns is pledged to the payment of the principal of
1057 or the interest on such bonds or notes. Without limiting the generality of the foregoing, nothing
1058 in this act shall be construed as imposing on any town any obligation with respect to the
1059 repayment of the series 2010A bonds and any debt issued by the authority pursuant to this act.

1060 (g) All bonds or notes issued under this act shall have all the qualities and incidents of
1061 negotiable instruments as defined in section 3-104 of chapter 106 of the General Laws.

1062 (h) Prior to the issuance of bonds with a maturity date later than the date the authority is
1063 required to be terminated pursuant to section 33, the mayor of the town of Weymouth and boards
1064 of selectmen of the towns of Abington and Rockland, in consultation with the authority, shall
1065 enter into an intermunicipal debt service agreement acceptable to the authority, which shall
1066 provide for the continued payment of principal and interest on such bonds and the maintenance
1067 of all required reserves and any other obligations as may be set forth in the applicable bond
1068 instruments from betterments, assessments, special assessments, fees, other charges and other
1069 revenues generated in the NAS South Weymouth Redevelopment Area and the authority and the
1070 towns may enter into and perform their respective obligations under such debt service
1071 agreement; provided, however, that such agreement shall not extend the duration of the authority
1072 past the date on which it is to be terminated pursuant to section 33.

1073 Section 21. (a) In the discretion of the authority, bonds, refunding bonds or notes may be
1074 secured by a trust agreement by and between the authority and a corporate trustee, which may be
1075 a trust company or bank having the powers of a trust company within or without the
1076 commonwealth. Such trust agreement may pledge or assign the revenues to be received, but
1077 shall not convey or mortgage the Project or a part thereof.

1078 (b) Either the resolution providing for the issuance of bonds or notes or the trust
1079 agreement may contain provisions for protecting and enforcing the rights and remedies of the
1080 bondholders as may be reasonable and proper and not in violation of law, including, without
1081 limiting the generality of the foregoing, provisions defining defaults and providing for remedies
1082 in the event thereof, which may include the acceleration of maturities and covenants setting forth
1083 the duties of, and limitations on, the authority in relation to the acquisition, maintenance,
1084 operation, insurance and disposition of property, custody, safeguarding, investment, application
1085 of moneys, use of any surplus bond or note proceeds and establishment of reserves. Such
1086 resolution or trust agreement may contain, but shall not be limited to, covenants by the authority
1087 in relation to the following: (i) the establishment, revision and collection of such betterments,
1088 assessments, special assessments, fees and other charges for services or facilities furnished or
1089 supplied by the authority as shall provide revenues which together with other revenues of the
1090 Project, if any, are sufficient to pay (1) the cost of maintaining, repairing and operating the
1091 Project and of making renewals and replacements in connection therewith, (2) the principal of
1092 and the interest on the bonds or notes, as the same shall become due and payable, (3) payments
1093 in lieu of taxes, betterments, assessments, special assessments, fees and other charges and (4)

1094 reserves for all such purposes; (ii) the purposes for which the proceeds of the sale of the bonds or
1095 notes shall be applied and the use and disposition thereof; (iii) the use and disposition of the
1096 gross revenues of the authority from the Project, additions thereto and extension and the
1097 infrastructure improvements thereof, including the creation and maintenance of funds for
1098 working capital and for renewals and replacements to the Project; (iv) the amount, if any, of
1099 additional bonds or notes payable from the revenues of the Project and the limitations, terms and
1100 conditions on which such additional bonds or notes may be issued; and (v) the operation,
1101 maintenance, management, accounting and auditing of the Project and of the income and
1102 revenues of the authority.

1103 (c) It shall be lawful for a bank or trust company within or without the commonwealth to
1104 act as depository of the proceeds of bonds or revenues and to furnish such indemnifying bonds or
1105 to pledge such securities as may be required by the authority. Such trust agreement may set forth
1106 the rights and remedies of the bondholders and of the trustee and may restrict the individual right
1107 of action by bondholders as is customary in trust agreements or trust indentures securing bonds
1108 and debentures of authorities. Such trust agreement may contain other provisions as the
1109 authority may deem reasonable and proper for the security of the bondholders. All expenses
1110 incurred in carrying out the provisions of such trust agreement may be treated as a part of the
1111 cost of the operation of the Project. The pledge by any such trust agreement or resolution shall
1112 be valid and binding from the time when the pledge is made. The revenues or other moneys so
1113 pledged and then held or thereafter received by the authority shall immediately be subject to the
1114 lien of such pledge without a physical delivery thereof or further act. The lien of any such
1115 pledge shall be valid and binding as against all parties having claims of any kind in tort, contract
1116 or otherwise against the authority, irrespective of whether such parties have notice thereof. The
1117 financing document by which any pledge is created by the authority shall not be required to be
1118 filed or recorded to perfect such pledge except in the official records of the authority and no
1119 uniform commercial code filing shall be required to be made. A pledge or assignment made by
1120 the authority is an exercise of its political and governmental powers, and revenues, funds, assets,
1121 property and contract or other rights to receive the same and the proceeds thereof which are
1122 subject to the lien of a pledge or assignment created under this act shall not be applied to
1123 purposes not permitted by the pledge or assignment.

1124 (d) In addition to other security provided herein or otherwise by law, bonds, notes or
1125 obligations issued by the authority under this act may be secured, in whole or in part, by a letter
1126 of credit, line of credit, bond insurance policy, liquidity facility or other credit facility for the
1127 purpose of providing funds for payments in respect of bonds, notes or other obligations required
1128 by the holder thereof to be redeemed or repurchased prior to maturity or for providing additional
1129 security for such bonds, notes or other obligations. In connection therewith, the authority may
1130 enter into reimbursement agreements, remarketing agreements, standby bond purchase
1131 agreements and any other necessary or appropriate agreements. The authority may pledge or
1132 assign the authority's revenues as security for the reimbursement by the authority to the

1133 providers of such letters of credit, lines of credit, bond insurance policies, liquidity facilities or
1134 other credit facilities of any payments made under the letters of credit, lines of credit, bond
1135 insurance policies, liquidity facilities or other credit facilities.

1136 (e) In connection with, or incidental to, the issuance of bonds, notes or other obligations,
1137 the authority may enter into such contracts as it may determine to be necessary or appropriate to
1138 place the bonds, notes or other obligations of the authority, as represented by the bonds or notes,
1139 or other obligations in whole or in part, on such interest rate or cash flow basis as the authority
1140 may determine, including without limitation, interest rate swap agreements, insurance
1141 agreements, forward payment conversion agreements, futures contracts, contracts providing for
1142 payments based on levels of, or changes in, interest rates or market indices, contracts to manage
1143 interest rate risk, including without limitation, interest rate floors or caps, options, puts, calls and
1144 similar arrangements. Such contracts shall contain such payment, security, default, remedy and
1145 other terms and conditions as the authority may deem appropriate and shall be entered into with
1146 such parties as the authority may select, after giving due consideration, where applicable, for the
1147 creditworthiness of the counter parties, including a rating by a nationally-recognized rating
1148 agency, the impact on a rating on outstanding bonds, notes or other obligations or other criteria
1149 the authority may deem appropriate.

1150 (f) The authority shall have the power to purchase its bonds or notes out of any funds
1151 available therefor. The authority may hold, pledge, cancel or resell such bonds or notes, subject
1152 to and in accordance with agreements with bondholders.

1153 (g) Any moneys received by the authority, whether as proceeds from the issuance of
1154 bonds or notes, or as revenue or otherwise, may be designated by the board as trust funds to be
1155 held and applied solely as provided in this act.

1156 Section 22. Bonds, refunding bonds and notes issued under this act shall be securities in
1157 which all public officers and public bodies of the commonwealth and its political subdivisions,
1158 all insurance companies, trust companies and their commercial departments and within the limits
1159 set forth in chapter 172 of the General Laws, banking associations, investment companies,
1160 executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may
1161 hereinafter be authorized to invest in bonds or other obligations of a similar nature may properly
1162 and legally invest funds, including capital in their control or belonging to them; and such bonds
1163 are shall be obligations that may properly and legally be made eligible for the investment of
1164 savings deposits and the income thereof in the manner provided in chapter 168 of the General
1165 Laws. Such bonds shall be securities that may properly and legally be deposited with and
1166 received by a state or municipal officer or an agency or political subdivision of the
1167 commonwealth for a purpose for which the deposit of bonds or other obligations of the
1168 commonwealth is now or may hereafter be authorized by law.

1169 Section 23. A holder of bonds or notes issued under this act and a trustee under a trust,
1170 except to the extent the rights herein given may be restricted by the trust agreement, may, either
1171 at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce all rights
1172 under the laws of the commonwealth or granted hereunder or under the trust agreement, and may
1173 enforce and compel the performance of all duties required by this act or by the trust agreement,
1174 to be performed by the authority or by an officer thereof.

1175 Section 24. The towns and the commonwealth are pledged to agree with the holders of
1176 the bonds or notes that neither the towns nor the commonwealth shall limit or alter or cause to
1177 limit or alter the rights hereby vested in the authority to acquire or maintain the Project or
1178 infrastructure improvements, to establish and collect betterments, assessments, special
1179 assessments, fees and other charges and to fulfill the terms of any agreements made with the
1180 holders of the bonds or notes nor impair the rights and remedies of the bondholders or
1181 noteholders, until the bonds or notes, together with interest thereon, with interest on any unpaid
1182 installments of interest and all costs and expenses in connection with an action or proceeding by
1183 or on behalf of the bondholders or noteholders, are fully met and discharged.

1184 Section 25. (a) The creation of the authority and the carrying out of its corporate purposes
1185 shall be for the benefit of the people of the commonwealth and shall be a public purpose, and the
1186 authority shall be regarded as performing a governmental function in the exercise of the powers
1187 conferred upon it by this act and shall be required to pay no taxes or assessments upon any of the
1188 property acquired by it or under its jurisdiction, control or supervision or upon its activities.

1189 (b) Any bonds issued under this act, including an exchange, sale or transfer of such
1190 bonds, and any income derived therefrom, and the property of the agency shall at all times be
1191 free from taxation by the commonwealth or any political subdivision or entity thereof to the
1192 extent permitted by federal law.

1193 (c) Bonds or notes issued under this act shall be subject to the same reporting and
1194 oversight requirements that apply to a municipality under the General Laws.

1195 Section 26. The authority shall be liable in contract and in tort in the same manner as a
1196 municipal authority. The directors, officers, employees and agents of the authority, including
1197 members of the advisory board established pursuant to section 10, shall not be liable as such on
1198 their contracts or for torts not committed or directly authorized by them. The property or funds
1199 of the authority shall not be subject to attachment or to levy and sale on execution, but if the
1200 authority refuses to pay a judgment entered against it in a court of competent jurisdiction, the
1201 superior court, sitting within and for Norfolk county or Plymouth county, may direct the
1202 treasurer of the authority to pay such judgment. The real estate owned by the authority shall not
1203 be subject to liens under chapter 254 of the General Laws, but sections 28 and 29 of chapter 149
1204 of the General Laws shall be applicable to any construction work by the authority.

1205 Section 27. Notwithstanding any general or special law to the contrary, the authority shall
1206 be deemed to be a public employer for purposes of chapter 258 of the General Laws.

1207 Section 28. (a) The authority may, if appropriate, make application to the United States
1208 Department of Housing and Urban Development or, as necessary, any other federal agency, to
1209 designate all or a portion of the NAS South Weymouth Redevelopment Area as an enterprise
1210 zone, pursuant to 42 U.S.C. § 11501 et seq., as amended, or an existing or successor statute for
1211 the purpose of creating jobs and encouraging development in the NAS South Weymouth
1212 Redevelopment Area.

1213 (b) The NAS South Weymouth Redevelopment Area and the towns of Abington,
1214 Rockland and Weymouth are hereby designated economic target areas as defined in section 3D
1215 of chapter 23A of the General Laws. Pursuant to such designation, certain development project
1216 within the NAS South Weymouth Redevelopment Area and the entirety of the towns of
1217 Abington, Rockland and Weymouth shall be eligible for tax deductions, credits and abatements
1218 and other economic incentives as provided for in sections 3E to 3G of said chapter 23A. The
1219 authority shall render such certifications as are required by law for the Project within the central
1220 redevelopment area, including the designation of economic opportunity areas, and each town
1221 shall render such certifications within its respective sector of the perimeter area and portions of
1222 the towns not included in the NAS South Weymouth Redevelopment Area. The designation of
1223 the NAS South Weymouth Redevelopment Area and the towns of Abington, Rockland and
1224 Weymouth as economic target areas shall be in addition to the economic target areas that may be
1225 established pursuant to paragraph 5 of said section 3E of said chapter 23A.

1226 Section 29. The authority shall be subject to all laws applicable to municipal
1227 redevelopment authorities created under section 4 of chapter 121B of the General Laws.

1228 Section 30. The authority or its agents may enter into project labor agreements covering
1229 construction performed by it consistent with its powers under this act.

1230 Section 31. The authority shall keep an accurate account of its activities including its
1231 receipts and expenditures. The authority shall prepare annual reports of its activities in the NAS
1232 South Weymouth Redevelopment Area during the preceding fiscal year and submit such reports
1233 to the governor, secretary, general court, advisory board, mayor of the town of Weymouth, the
1234 town manager of the town of Abington, the town administrator of the town of Rockland, the
1235 town council of the town of Weymouth, the boards of selectmen of the towns of Abington and
1236 Rockland and the town clerk of each of those towns. Each report shall set forth a complete
1237 operating and financial statement covering the authority's operations in the NAS South
1238 Weymouth Redevelopment Area during the previous year. The authority shall cause an audit of
1239 its books and accounts relating to the NAS South Weymouth Redevelopment Area to be made at
1240 least once in each fiscal year by certified public accountants. The audit shall be filed with the
1241 state auditor annually not later than 120 days after the end of the authority's fiscal year and shall

1242 be in a form prescribed by the state auditor. The state auditor shall audit the authority's books
1243 and accounts in accordance with section 12 of chapter 11 of the General Laws. The state auditor
1244 may investigate the budget, finances, transactions and relationships of the authority at any time
1245 and may examine the authority's records and prescribe methods of accounting and the rendering
1246 of periodic reports. The audits of the authority shall be public records; provided, however, that
1247 the mayor of the town of Weymouth, the town manager of the town of Abington, or the town
1248 administrator of the town of Rockland may each conduct annual audits at the expense of the
1249 respective towns. During the period between the effective date of this act and January 1, 2015,
1250 the authority (i) may not incur any expenditure that is not consistent with its then-effective
1251 budget without the prior written consent of each Executive, and (ii) shall timely pay expenses
1252 incurred in the ordinary course of its operations, in accordance with said budget. Any property
1253 tax revenue collected by the authority during such period and not expended in accordance with
1254 the previous sentence shall be remittable to the towns on a ratable basis according to the then-
1255 assessed value of land within their respective portions of NAS South Weymouth on January 1,
1256 2015. Any unexpended fees held by the authority as of January 1, 2015 in connection with the
1257 issuance of a building permit shall be remittable, on such date, to the town assuming the further
1258 administration of such permit pursuant to section 19(b).

1259 Section 32. Chapter 40B of the General Laws shall not apply to the provision of
1260 affordable housing within the NAS South Weymouth Redevelopment Area. Such affordable
1261 housing within the NAS South Weymouth Redevelopment Area shall be governed by section
1262 14(b)(2), the zoning by-laws and the regulations adopted thereunder. None of the land located
1263 within the NAS South Weymouth Redevelopment Area, nor any of the housing which may be
1264 constructed thereon from time to time, shall be included in any calculation applicable to said
1265 chapter 40B with respect to any of the towns. This section shall continue in full force and effect
1266 following the dissolution of the authority pursuant to section 33.

1267 Section 33. (a) The authority shall be dissolved upon: (i) the bond termination date; and
1268 (ii) the approval of the dissolution and administration agreement by the towns as described in
1269 subsection (b); provided, however, that in no event shall the authority be dissolved prior to
1270 August 13, 2018. Within 30 days after: (i) the bond termination date; and (ii) such approval of
1271 the dissolution and administration agreement, the board shall file a certificate acknowledging
1272 such dissolution with the state secretary. The dissolution of the authority shall take effect upon
1273 the filing of such certificate, subject to the applicable provisions of section 51 of chapter 155 of
1274 the General Laws. In connection with the application of said section 51 of said chapter 55, any
1275 real property owned by the authority at the time of dissolution shall be deemed to be distributed
1276 automatically to and become the property of the town in which it is located, consistent with the
1277 dissolution and administration agreement, and the personal property of the authority shall be
1278 equitably allocated to the towns according to the terms of the dissolution and administration
1279 agreement; provided, however, that the authority shall not issue any bonds after the date that is

1280 one year following the completion of the redevelopment of the NAS South Weymouth
1281 Redevelopment Area contemplated in the Reuse Plan and the zoning by-laws.

1282 (b) At least 24 months prior to the bond termination date, the board shall prepare and
1283 distribute to the towns a dissolution and administration agreement. The dissolution and
1284 administration agreement shall provide, but shall not be limited to, the following: (i) provisions
1285 for the disposition of all real and personal property within the NAS South Weymouth
1286 Redevelopment Area which the authority owns or has an interest in on the bond termination date;
1287 (ii) provisions for the assumption of all contractual obligations, including all lease agreements of
1288 the authority, which do not expire on the bond termination date; (iii) provisions for the transfer
1289 and assumption by the towns of the authority's zoning administration, licensing and permitting
1290 authorities; and (iv) provisions for the resolution of any other matters relating to the authority
1291 which may affect the interests of the towns. Within 120 days after receipt of the dissolution and
1292 administration agreement, the mayor of the town of Weymouth shall convene a meeting of the
1293 town council of the town of Weymouth and the boards of selectmen of the towns of Abington
1294 and Rockland shall convene a town meeting of their respective towns for the purpose of adopting
1295 by majority vote of the town council and each town meeting the dissolution and administration
1296 agreement. Each town shall vote to adopt or disapprove the agreement as submitted. No
1297 amendments to the agreement shall be made by the towns. Each town shall, within 30 days after
1298 adoption or rejection of the agreement at a town council meeting or a town meeting, as the case
1299 may be, provide the authority with a written notification stating whether the town council or
1300 town meeting adopted or rejected the agreement. Any town that has rejected the agreement shall
1301 have 1 year from the date of such disapproval to reconsider its decision and rescind its rejection
1302 and adopt the dissolution and administration agreement. Once a town adopts the agreement, it
1303 shall not thereafter vote to disapprove or reject it. If all 3 towns have not adopted the agreement
1304 at least 1 year prior to the bond termination date, the authority shall remain in existence and carry
1305 out its functions consistent with this act. If the towns fail to adopt the agreement, the general
1306 court may, at any time after the bond termination date, terminate the authority's existence,
1307 provide for the distribution of the its assets and determine other provisions as required for the
1308 dissolution and administration agreement.

1309 Section 34. (a) Notwithstanding any provision of this act to the contrary, the authority
1310 shall perform its obligations under the Parkway Financing MOA, including without limitation,
1311 reimbursement to the commonwealth of any "deficiency payment," as defined in the Parkway
1312 Financing MOA, which obligation of the authority shall constitute a general obligation of the
1313 authority for which the full faith and credit of the authority shall be pledged for the benefit of the
1314 commonwealth. The betterments, assessments, special assessments, fees and other charges
1315 established by the authority in accordance with this act shall be fixed and adjusted so as to
1316 provide revenues at least sufficient to pay, in addition to all other amounts set forth in section 18,
1317 any amounts that the authority may be obligated to pay or provide for, pursuant to the Parkway
1318 Financing MOA or the financing agreement referenced therein. The corporation may collect the

1319 data described in sections 3 and 4 of the Parkway Financing MOA for the purposes described
1320 therein.

1321 (b) This sub-section shall take effect upon approval by the secretary and the secretary of
1322 the Executive Office for Housing and Economic Development of a redevelopment plan
1323 submitted to the secretary by the authority or by any of the 3 constituent municipalities, such
1324 approval not to be unreasonably withheld. The secretary may enter into amendments to the
1325 Parkway Financing MOA to allow for deficiency payments allocated to fiscal years 2013 to 2018
1326 to be deferred until the beginning of fiscal year 2019. The secretary may extend this deferral to
1327 additional fiscal years if the secretary determines that this deferral is fiscally responsible and
1328 serves the public interest.

1329 (c) Additional financing by the commonwealth of “Parkway-Phase 2” and the “East Side
1330 Connectivity Improvements” shall be subject to the commonwealth’s capital plan and its
1331 statutory debt limit.

1332 Section 35. The authority shall not offer new bonds, including the refunding or
1333 refinancing of any outstanding indebtedness, after December 31, 2035 without first obtaining a
1334 two-thirds majority vote from the town council of the town of Weymouth, and the select boards
1335 of the towns of Abington and Rockland.

1336 Section 36. The authority and SSTDC shall be considered a state authority for purposes
1337 of section 29K of chapter 29 of the General Laws and shall be considered a state entity for
1338 purposes of section 97 of chapter 6 of the General Laws.