

SENATE No. 1179

The Commonwealth of Massachusetts

PRESENTED BY:

Diana DiZoglio

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act authorizing the town of Salisbury to assume control of the Ring’s Island Water District.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Diana DiZoglio

First Essex

James M. Kelcourse

1st Essex

SENATE No. 1179

By Ms. DiZoglio, a petition (accompanied by bill, Senate, No. 1179) of Diana DiZoglio and James M. Kelcourse for legislation to authorize the town of Salisbury to assume control of the Ring’s Island Water District. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act authorizing the town of Salisbury to assume control of the Ring’s Island Water District.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The Ring’s Island water district established by chapter 298 of the acts of
2 1936 (“district”) is hereby dissolved and, without further conveyance or other act, all assets,
3 liabilities, obligations and indebtedness as well as the powers and duties of the district are hereby
4 merged and transferred to the town of Salisbury (“town”) acting by and through its board of
5 selectmen acting as the board of water commissioners (“board of water commissioners”). Except
6 as provided in sections 4 and 5 of this act, all district funds shall be transferred to the town water
7 enterprise fund, or in the absence of said fund, to the town general fund. The town shall be the
8 lawful successor of the district in every respect.

9 SECTION 2. The district board of water commissioners, the office of district treasurer,
10 and all other district officers and positions are hereby abolished and the tenure of any incumbent
11 commissioner or district officer or employee terminated.

12 SECTION 3. There shall be established in the town of Salisbury a special account to be
13 known as the Ring’s Island Water Main Replacement Fund (“fund”). Such fund shall be
14 appropriated by majority vote of town meeting only for the replacement of the water main
15 located in the town under Bridge Road from the Town’s gate valve at the intersection of route
16 110 (School Street) and route 1 (Bridge Road) to the intersection of route 1 and First Street,
17 including but not limited to design, construction, site preparation, and any incidental and related
18 costs. Upon declaration by the board of water commissioners that all costs and debt service
19 obligations related to the replacement of the water main have been paid in full, all remaining
20 monies in the fund shall thereupon be transferred without further appropriation to the town water
21 enterprise fund, or in the absence of said enterprise fund, to the town general fund.

22 SECTION 4. All monies held in escrow pursuant to an agreement between the district
23 and the town shall be deposited into the fund.

24 SECTION 5. The board of water commissioners is hereby authorized to assess a separate
25 charge upon the users located in the district for a portion of the replacement cost of the Bridge
26 Pond water main (“charge”), subject to the limitations below. The charge, which shall not exceed
27 \$30,000 annually, shall be assessed and collected pursuant to an agreement between the district
28 and the town (“agreement”). The authorization provided herein for assessment of the charge shall
29 terminate upon the payment in full of all costs of replacing the Bridge Road water main,
30 including all debt incurred for the water main replacement, or such earlier date as may be
31 determined by the board of water commissioners, but in no event shall charge extend beyond 25
32 years. Receipts received by the town under this section shall be deposited without further
33 appropriation in the fund. The town shall annually appropriate to the fund a sum of money in
34 accordance with the agreement.

35 SECTION 6. Chapter 298 of the acts of 1936, chapter 435 of the acts of 1938, chapter
36 186 of the acts of 1958 and chapter 118 of the acts of 2005 are hereby repealed.

37 SECTION 7. This act shall take effect beginning the first day of the fiscal year
38 commencing at least 90 days following passage of the act.