SENATE DOCKET, NO. 656 FILED ON: 1/17/2013

SENATE . . . . . No. 1460

The Commonwealth of Massachusetts

PRESENTED BY:

Harriette L. Chandler

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 passage of the accompanying:

An Act authorizing the Department of Conservation and Recreation and the city of Worcester to create and operate a multi purpose rectangular field at the Lake Avenue Park in Worcester.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Harriette L. Chandler	*First Worcester*
Mary S. Keefe	*15th Worcester*
John P. Fresolo	*16th Worcester*
Michael O. Moore	*Second Worcester*
James J. O'Day	*14th Worcester*

SENATE DOCKET, NO. 656 FILED ON: 1/17/2013

SENATE . . . . . No. 1460

By Ms. Chandler, a petition (accompanied by bill, Senate, No. 1460) of Harriette L. Chandler, Mary S. Keefe, John P. Fresolo, Michael O. Moore and others for legislation to authorize the Department of Conservation and Recreation and the city of Worcester to create and operate a multi purpose rectangular field at the Lake Avenue Park in Worcester. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

An Act authorizing the Department of Conservation and Recreation and the city of Worcester to create and operate a multi purpose rectangular field at the Lake Avenue Park in Worcester.

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

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the commissioner of the department of conservation and recreation is hereby authorized to enter into an agreement with the city of Worcester whereby the city shall acquire any and all rights and privileges necessary and proper to construct and operate a synthetic turf playing field and related facilities at Lake Park in the city of Worcester.

Said agreement may be in the form of a lease, management agreement or other conveyance deemed appropriate by the commissioner and shall authorize the city to construct, at its sole expense, a playing field together with suitable grandstand seating, sports field lighting, scoreboard, concession facilities, pressbox, clubhouse, jogging track and other such ancillary facilities as may be desired by the city. The agreement shall run for a term of 30 years unless sooner terminated due to material breach or neglect of the facility. The agreement shall provide that the city shall be responsible for the maintenance, repairs and utility costs of the field, grandstands and such ancillary facilities for the term of the agreement.

SECTION 2. Upon the effective date of the agreement, the playing field and related facilities shall be under the care, custody and control of the Worcester Parks and Recreation Commission, to be operated in the same manner it operates other recreation fields and facilities within the city and under such terms and conditions special to this facility as it deems appropriate; provided however, that, except for a priority for the use of the facility by city of Worcester high school teams, in granting permits for the use of this facility, no priority shall be granted to residents of the city. The city may adopt a schedule of fees for the use of the facility and all revenue generated by the facility shall be deposited in the city treasury in a revolving

22 fund which shall be operated under the terms of section 53E½ of chapter 44 of the general laws.
23 The city may enter into a “naming rights” agreement with a sponsor reasonably acceptable to
24 DCR for any term not exceeding the term of the agreement authorized by section one above.

25 SECTION 3. The city shall be responsible for any and all environmental and
26 construction permits and approvals as may be necessary for the construction of the playing field
27 and related facilities contemplated by this act, including approval under engineering standards
28 adopted by the department of conservation and recreation. The city may use any lawful source
29 or sources of funding for the construction of the facility and the terms of any such funding shall
30 apply. Nothing herein shall relieve the city of compliance with the designer selection and public
31 bidding laws of the commonwealth, including the laws governing work on public construction
32 projects.

33 SECTION 4. This act shall take effect upon its passage.