

HOUSE No. 2189

The Commonwealth of Massachusetts

PRESENTED BY:

Jeffrey N. Roy

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 establishing a district to operate a regional public safety communications and dispatch center for the city known as the town of Franklin and the towns of Norfolk, Plainville and Wrentham.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>	<i>1/17/2013</i>
<i>Karen E. Spilka</i>	<i>Second Middlesex and Norfolk</i>	<i>2/1/2013</i>
<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>1/28/2013</i>

HOUSE No. 2189

By Mr. Roy of Franklin, a petition (accompanied by bill, House, No. 2189) of Jeffrey N. Roy, Karen E. Spilka and Richard J. Ross for legislation to establish a regional public safety communications and dispatch center for the towns of Franklin, Norfolk, Plainville and Wrentham. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act establishing a district to operate a regional public safety communications and dispatch center for the city known as the town of Franklin and the towns of Norfolk, Plainville and Wrentham.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish a regional public safety communications dispatch center, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

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

1 (1) The Towns of Franklin, Norfolk, Plainville and Wrentham may, through their
2 respective town council and boards of selectmen, enter into a written agreement for the purpose
3 of establishing a district to construct, equip, operate and maintain a consolidated regional public
4 safety communications and dispatch center. The written agreement shall provide for the
5 management of the district by a board of directors to be comprised of the chief administrative
6 officer of each member town. The agreement shall set forth the financial terms and conditions of
7 membership of the district and the powers and duties of the board of directors and shall provide
8 for the operation of a regional public safety communications and dispatch center and any other
9 matters not incompatible with law.

10 (a) The district shall be deemed to be a public entity and shall have the power to sue
11 and to be sued, but only to the same extent and upon the same conditions that a city or town may
12 be sued.

13 (b) The district shall be deemed to be a public employer and may employ personnel
14 to carry out the purposes of the district and may establish the duties, compensation and other
15 terms and conditions of employment of personnel

16 (c) The district may borrow money, enter into long or short-term loan
17 agreements or mortgages and apply for state, federal or corporate grants or contracts to obtain
18 funds necessary to carry out the purposes of the center.

19 (d) The district may enter into contracts to provide services to non-member
20 municipalities and private parties.

21 (e) The board of directors may enter into contracts for the purchase of
22 supplies, materials and services and for the purchase or lease of land, buildings and equipment as
23 deemed necessary.

24 (f) The board of directors shall adopt an annual operating budget and shall have the
25 authority to assess member municipalities for their share thereof and to employ all available legal
26 remedies and other lawful means to collect said assessments.

27 (g) The board of directors shall establish and manage a fund to which all
28 monies contributed by the towns, and all grants and gifts from the federal or state government or
29 any other shall be deposited. The board of directors shall appoint the treasurer who may be a
30 treasurer of one of the towns. The treasurer, subject to the direction and approval of the board of
31 directors, shall be authorized to receive, invest and disburse all funds of the center without
32 further appropriation. The treasurer shall give bond for the faithful performance of his duties in
33 a form and amount as fixed by the board of directors.

34 (2) Any member city or town is hereby authorized to sell, lease or license to the
35 district any emergency communication center facility or building and any land appurtenant
36 thereto or used in connection therewith or any other land or other property useful for the
37 purposes of the district, and any such city or town may authorize such sale, lease or license
38 accordingly, notwithstanding the provisions of section three of chapter forty, section 16 of
39 chapter 30B or any other provisions of law to the contrary. In case of a sale, the price and time
40 or times of payment and the method by which the cities and towns other than the selling city or
41 town shall be assessed for such payment shall be set forth in the written agreement establishing
42 the district or an amendment thereto; but in no case shall payments be made which shall extend
43 over a period in excess of twenty-five years. In the case of a lease or license, the rental or license
44 may be for a term not in excess of twenty-five years, and may contain provisions for the
45 extension of the lease or license for an additional term or terms not in excess of twenty-five
46 years, at the option of the district board of directors.

47 (3) The written agreement establishing the district may make provision for the
48 method of termination of the district and may also provide procedures for the addition of new
49 member towns or for the withdrawal of towns.

50 (4) This act shall take effect upon its passage.