

HOUSE No. 2781

The Commonwealth of Massachusetts

PRESENTED BY:

Joseph F. Wagner and James T. Welch

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 city of Chicopee to lease a certain building.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Joseph F. Wagner</i>	<i>8th Hampden</i>	<i>2/23/2017</i>
<i>James T. Welch</i>	<i>Hampden</i>	<i>3/1/2017</i>

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By Representative Wagner of Chicopee and Senator Welch, a joint petition (accompanied by bill, House, No. 2781) of Joseph F. Wagner and James T. Welch (with the approval of the mayor and city council) that the city of Chicopee be authorized to lease a certain building in said city for a term of twenty-five years. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act authorizing the city of Chicopee to lease a certain building.

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. Notwithstanding chapter 296 of the acts of 2014 or any other general or
2 special law to the contrary, the city of Chicopee may lease, for a term of 25 years, with the
3 option to renew once for the same term, all or a portion of the building previously used as the
4 Chicopee Falls Branch Public Library, pursuant to chapter 645 of the acts of 1950, and
5 authorized for use as a public school facility, pursuant to said chapter 296 of the acts of 2014, to
6 a nonprofit organization; provided, that the nonprofit organization shall use the building, or its
7 leased portion thereof, to provide educational services. For the purposes of this section,
8 “educational services” shall include: (1) an accredited Head Start program; (2) programming or
9 resources for children attending public or private preschools, elementary, secondary or
10 vocational schools, or institutions of higher education; or (3) any other service approved as an
11 educational service by a vote of the city council and mayor of the city of Chicopee. This lease,

12 and any extension thereof, shall not be subject to the third and fourth paragraphs of section 3 of
13 chapter 40 of the General Laws.

14 SECTION 2. Notwithstanding any general or special law, or any provision of section 1,
15 to the contrary, the building referenced in said section 1, being the building authorized by
16 chapter 645 of the acts of 1950, and being located on a portion of the parcel of land conveyed to
17 the city of Chicopee by deed dated April 22, 1931 and recorded in the Hampden county registry
18 of deeds in book 1482, page 452, shall be considered corporate property of the city of Chicopee
19 restricted to the specific purpose of use as a school building; provided, that the building, or a
20 portion thereof, may be leased in accordance with said section 1. The building shall be subject to
21 all general and special laws applicable to property held by a city for a specific purpose,
22 including, but not limited to, section 15A of chapter 40 of the General Laws. The city of
23 Chicopee shall record a deed, or other written instrument, with the Hampden county registry of
24 deeds demonstrating that the city is released from any terms or conditions contrary to this
25 section, as they may exist in its title to the property; provided, that the remainder of the parcel of
26 land conveyed to the city by the deed referenced in this section shall remain restricted to use for
27 park purposes, as stated in the deed.

28 SECTION 3. This act shall take effect upon its passage.