

SENATE No. 2597

Senate, March 12, 2020 -- Substituted by amendment by the Senate (Senator DiZoglio) as a new draft for Senate, No. 1179.

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. Chapter 298 of the acts of 1936 is hereby repealed.

2 SECTION 2. Chapter 435 of the acts of 1938 is hereby repealed.

3 SECTION 3. (a) The Ring’s Island water district established in chapter 298 of the acts of
4 1936 is hereby dissolved and, without further conveyance or other act, all assets, liabilities,
5 obligations and indebtedness and all powers and duties of the district are hereby merged and
6 transferred to the town of Salisbury acting by and through its board of selectmen acting as the
7 board of water commissioners. Except as otherwise provided in this act, all district funds shall
8 be transferred to the town’s water enterprise fund or, if there is no water enterprise fund, to the
9 town’s general fund. The town shall be the lawful successor of the district in all respects.

10 (b) The district board of water commissioners, the office of district treasurer and all other
11 district officers and positions are hereby abolished and any incumbents holding any such office
12 or position on the effective date of this act are hereby terminated.

13 SECTION 4. (a) The town of Salisbury shall establish the Ring's Island Water Main
14 Replacement Fund. Money in the fund shall be expended, upon appropriation by a 2/3 vote of
15 the town meeting , only for the replacement of the water main located under Bridge road from
16 the town's gate valve at the intersection of state highway route 110, School street, and state
17 highway route 1, Bridge road, to the intersection of state highway route 1 and First street
18 including, but not limited to, for the design, construction and site preparation and for any
19 incidental and related costs. Upon a declaration by the board of water commissioners that all
20 costs and debt service obligations related to the replacement of the water main have been paid in
21 full, any money remaining in the fund shall be transferred, without further appropriation, to the
22 town's water enterprise fund or, if there is no water enterprise fund, to the town's general fund.

23 (b) All funds held in escrow by the town pursuant to an agreement between the district
24 and the town shall be deposited into the Ring's Island Water Main Replacement Fund on the
25 effective date of this act.

26 SECTION 5. The board of water commissioners in the town of Salisbury may assess a
27 separate charge upon the users located in the former district for a portion of the replacement cost
28 of the Bridge road water main, subject to the limitations in this section. The charge, which shall
29 not exceed \$30,000 annually, in the aggregate, for all users in the former district, shall be
30 assessed and collected pursuant to an agreement between the district and the town. The
31 authorization for the assessment of the charge as provided in this section shall terminate upon the
32 payment in full of all costs for the replacement of the Bridge road water main, including all debt
33 incurred for the water main replacement, or on such earlier date as the board of water
34 commissioners may determine; provided, however, that the assessment shall not extend beyond
35 25 years. Receipts received by the town under this section shall be deposited into the Ring's

36 Island Water Main Replacement Fund. Notwithstanding any such assessment on the users, the
37 town may annually appropriate a sum of money to be deposited into the fund.

38 SECTION 6. This act shall take effect on July 1, 2020; provided, however, that if it is
39 enacted after April 30, 2020, this act shall take effect on July 1, 2021.