

Acts (2014)

Chapter 291

AN ACT TO PROMOTE THE SUSTAINABLE ECONOMIC DEVELOPMENT OF THE FORMER WEYMOUTH NAVAL AIR STATION FOR THE BENEFIT OF THE TOWNS OF ABINGTON, ROCKLAND, AND WEYMOUTH, THE NAS SOUTH WEYMOUTH REGION AND THE COMMONWEALTH

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith enhance economic development and improve the general welfare of the area comprising the former Naval Air Station in South Weymouth and its environs, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

Chapter 301 of the acts of 1998, as amended by section 37 of chapter 303 of the acts of 2008, is hereby further amended by striking out sections 1 to 36, inclusive, and inserting in place thereof the following 36 sections:-

Section 1. It is hereby found that the closure of the Naval Air Station hereinafter referred to as NAS South Weymouth, by the United States Government in September of 1997 is detrimental to the economic welfare of the citizens of the commonwealth and, in particular, the towns of Abington and Rockland and the city known as the town of Weymouth. The closure of this military installation imposes upon the commonwealth and its citizens an increased fiscal burden in addition to that incurred by the commonwealth on account of the closure of various other military installations in the commonwealth. It is further found that the full redevelopment of NAS South Weymouth remains essential for the benefit of the towns of Abington, Rockland and Weymouth, the region and the commonwealth and, to that end, this act shall reconstitute the South Shore Tri-Town Development Corporation, or SSTDC, as the Southfield Redevelopment Authority, reinforce municipal control over land use and development decisions affecting Abington, Rockland and Weymouth that constitute NAS South Weymouth and strengthen the alignment of interests between the authority, the towns and the master developer as defined herein. Therefore, it is the purpose of this act to promote the expeditious and orderly conversion and redevelopment of NAS South Weymouth for nonmilitary purposes including, but not limited to, commercial, housing, industrial, institutional, educational, governmental, recreational, conservation or manufacturing uses

in order to prevent blight, economic dislocation and additional unemployment and to aid and strengthen the local economy, the regional economy and the economy of the commonwealth. In order to achieve these objectives, it is deemed necessary and appropriate to continue the structure of SSTDC, as renamed and reconstituted pursuant to this act, with full powers and authority to carry out this act.

Section 2. It shall be the goal of this act to promote the expeditious acquisition and redevelopment of NAS South Weymouth while addressing the economic, social and environmental needs of the region. Except as otherwise provided in this act, this goal shall be accomplished in a manner consistent with the Reuse Plan prepared by the Naval Air Station planning committee and approved by a majority vote of the town meetings of the towns of Abington, Rockland and Weymouth, on March 23, 1998, March 16, 1998 and March 4, 1998, respectively, and approved by the commonwealth, the United States Department of Defense and the Master Developer. The redevelopment is designed to minimize and mitigate negative off-base impacts on the area such as those on water resources, air quality, traffic and noise, and to limit the impacts to those necessary to achieve community reuse goals and objectives. The redevelopment shall be integrated with the United States government's cleanup of hazardous materials on the base to ensure effective, expeditious and efficient environmental remediation and

protection of public health and welfare in accordance with federal and state law and regulation.

Section 3. There is hereby created a body politic and corporate, to be known as the Southfield Redevelopment Authority, to carry out this act. The authority is hereby deemed to be a public instrumentality and the exercise by the authority of the powers conferred by this act shall be deemed and held to be the performance of public functions. The authority shall be included within the definition of a “local government unit or local governmental unit”, as defined in section 1 of chapter 29C of the General Laws, and its bonds and notes shall be included within the definition of “local governmental obligations”, as defined in said section 1 of said chapter 29C. The authority shall be included within the definition of a “governmental entity” for purposes of owning public infrastructure improvements pursuant to chapter 293 of the acts of 2006. The authority shall be an “eligible applicant” and a municipality for the purposes of the General Laws and the authority, the town of Rockland, the town of Weymouth and the town of Abington shall be eligible for any financial or other assistance from the Massachusetts School Building Authority and the Massachusetts Department of Transportation pursuant to chapter 90 of the General Laws.

To achieve its primary purpose of securing the redevelopment of NAS South Weymouth to the greatest benefit of the towns of Abington, Rockland and Weymouth, the

authority shall be guided in its financing activities with the goal of maximizing the fiscal benefit to the towns stemming from the redevelopment. The authority, during its existence, and the master developer, giving consideration to its economic interests, shall pursue the redevelopment of the underutilized land within NAS South Weymouth in a manner that maximizes the opportunity for generating revenue for the towns that exceeds the costs that the towns incur for the provision of those municipal services that the towns are obligated to provide to NAS South Weymouth pursuant to this act. The authority shall, to the maximum extent feasible and consistent with the zoning by-laws, dispose of all of the property within the NAS South Weymouth redevelopment area through sale or other transfer prior to the authority's termination as provided in section 33.

Section 4. As used in this act, the following words shall have the following meanings unless the context requires otherwise:

- (a) “Abington appointee”, the member of the board appointed by the town of Abington.
- (b) “Advisory board”, the advisory board to the authority established in section 11.
- (c) “Affordable and workforce housing plan”, the Affordable and Workforce Housing Plan for NAS South Weymouth, as adopted by South Shore Tri-Town Development Corporation on January 24, 2011.

(d) “Affordable and workforce housing regulations”, the NAS South Weymouth Affordable and Workforce Housing Regulations, as adopted by South Shore Tri-Town Development Corporation on January 24, 2011.

(e) “Agency”, the Massachusetts Development Finance Agency, a Massachusetts body politic and corporate established in section 2 of chapter 23G of the General Laws, which is the successor-in-interest to the government land bank under chapter 289 of the acts of 1998.

(f) “Authority”, the authority established in section 3 and, as the context requires, the South Shore Tri-Town Development Corporation created pursuant to the prior enabling act.

(g) “Base rate”, the ad valorem property tax rate levied by the town in which the subject property is located.

(h) “Base revenue”, revenue generated through assessment and collection of the base rate.

(i) “Board”, the board of directors of the Southfield Redevelopment Authority established in section 9.

(j) “Bond termination date”, the latest date on which all amounts outstanding under bonds or notes issued by the authority pursuant to this act or by the agency pursuant to section 6 of chapter 293 of the acts of 2006, including all obligations of the authority undertaken in connection with the issuance of such bonds of the agency, have been paid in full, which date shall be no later than December 31, 2065.

(k) “Central redevelopment area”, the geographic area shown as the “central redevelopment area” on the zoning map.

(l) “Chamber appointee”, the member of the board appointed pursuant to section 9(a)(vi).

(m) “Commercial development”, all nonresidential, nonrecreational and noninstitutional land uses permissible under the zoning by-laws, including retail, general office, medical office and industrial uses.

(n) “Commercial minimum”, 900,000 gross square feet of commercial development.

(o) “Consecutive water agreement”, the “Memorandum of Agreement for Consecutive Public Water System” entered into between the authority and the town of Weymouth as of October 22, 2010.

(p) “DDA”, the “NAS South Weymouth Amended and Restated Disposition and Development Agreement” entered into between South Shore Tri-Town Development Corporation and LNR South Shore, LLC on March 24, 2008, as most recently amended by the Tenth Amendment thereto, dated December 28, 2010.

(q) “Dedicated Commercial Zone”, a contiguous 30-acre area within the central redevelopment area capable of accommodating development of at least the balance of the commercial minimum.

(r) “Dissolution and administration agreement”, the dissolution and administration agreement authorized pursuant

to section 33.

(s) “Executive”, the mayor of Weymouth or the boards of selectmen of the towns of Abington and Rockland, as applicable.

(t) “Infrastructure”, all infrastructure included in the project.

(u) “Labor appointee”, the member of the board appointed pursuant to clause (iv) of subsection (a) of section 9.

(v) “Major zoning revision”, a “substantial revision” to the zoning by-laws as that term is defined and used in the existing zoning by-laws.

(w) “Master developer”, the master developer designated under the DDA.

(x) “Master plan”, the master plan submitted by the master developer to South Shore Tri-Town Development Corporation and the towns on March 7, 2005, as amended.

(y) “Minor zoning revision”, any revision to the zoning by-laws that does not constitute a major zoning revision as defined herein.

(z) “NAS South Weymouth”, the military base formerly known as the Naval Air Station South Weymouth, which was disestablished in accordance with the recommendation of the 1995 Base Realignment and Closure Commission, pursuant to 10 U.S.C. § 2687, as amended.

(aa) “NAS South Weymouth redevelopment area”, the geographic area delineated in the plans and maps referenced in

section 5.

(bb) “NAS South Weymouth region”, (i) towns as defined in this act; (ii) all municipalities contiguous to the towns; and (iii) all municipalities contiguous to the municipalities in subsection (ii); provided, however, that the NAS South Weymouth region shall not include the city of Boston.

(cc) “Parkway”, the east-west parkway connecting Weymouth street in the town of Rockland to state highway route 18, Main street, in the town of Weymouth.

(dd) “Parkway financing MOA”, the Memorandum of Agreement on Financing for the South Shore Tri-Town Development Corporation’s Parkway entered into as of March 4, 2010 by and between the commonwealth and South Shore Tri-Town Development Corporation, as amended by the First Amendment thereto dated June 15, 2010.

(ee) “Perimeter area”, the geographic area designated as the “perimeter area” on the existing zoning map.

(ff) “Permanent water and wastewater infrastructure”, (i) water supply, treatment and distribution; and (ii) sewer collection, treatment and disposal capacity for the project that does not exist as of the effective date of this act and that is financed, designed, constructed, operated and maintained by the master developer pursuant to, and to the extent provided in, section 15.

(gg) “Phase I water and wastewater agreement”, the Memorandum of Agreement for Provision of Water and

Wastewater Service entered into on March 7, 2008 by and between the Town of Weymouth and South Shore Tri-Town Development Corporation, as amended by Amendment #1 to same effective July 1, 2012.

(hh) “Pledged revenue”, property tax revenue subject to the pledge established in that certain Trust Indenture between South Shore Tri-Town Development Corporation and Wells Fargo Bank, N.A., as Trustee, dated as of August 1, 2010 and relating to South Shore Tri-Town Development Corporation Infrastructure Development Revenue Bonds, Series 2010A, as the same may be amended from time to time.

(ii) “Prior enabling act”, chapter 301 of the acts of 1998.

(jj) “Project”, the acquisition, development, improvement, construction, expansion, reduction, destruction and renovation of all real and personal property and infrastructure, buildings, structures, utilities and utility services located on, conducted within or otherwise directly associated with the NAS South Weymouth redevelopment area, which shall be owned by the authority, the towns, the commonwealth or any other political subdivision or public instrumentality of the commonwealth including, but not limited to, all infrastructure for the provision of gas; cable television; telephone; storm drainage systems; dams; sewage treatment plants; sewers; water and well systems; roads; highways; bridges; culverts; tunnels; streets; sidewalks; lighting; parking, including garages; schools; public safety; public works and administration buildings; parks;

cultural and performing arts facilities; recreational facilities; transportation stations and related facilities; shuttle transportation equipment; fiber and telecommunication systems; facilities to produce and distribute electricity, including alternate energy sources such as co-generation and solar installations; the investigation and remediation associated with the cleanup of actual or perceived environmental contamination in accordance with applicable governmental regulations; and all other programs, services, systems and other activities associated therewith, located on, conducted within or otherwise directly associated with the NAS South Weymouth redevelopment area.

(kk) “Resident appointees”, the members of the board appointed pursuant to clause (v) of subsection (a) of section 9.

(ll) “Residential maximum”, 2,855 residential housing units, allocated at the master developer’s discretion between the residential unit types contemplated in the reuse plan.

(mm) “Reuse plan”, the Reuse Plan for Naval Air Station South Weymouth as approved by South Shore Tri-Town Development Corporation on May 5, 2005 and as defined and referred to in the prior enabling act.

(nn) “Rockland appointees”, the members of the board appointed by the town of Rockland.

(oo) “Secretary”, the secretary of administration and finance.

(pp) “Senior housing minimum”, 400 units of housing

made available for sale or rental exclusively to persons age 55 or over and allowing for occupancy in any such unit of only one person under 55 years of age.

(qq) “Series 2010A bonds”, the South Shore Tri-Town Development Corporation Infrastructure Development Revenue Bonds, Series 2010A issued pursuant to the Trust Indenture, dated as of August 1, 2010, between South Shore Tri-Town Development Corporation and Wells Fargo Bank, N.A., as Trustee.

(rr) “Southfield rate”, ad valorem property tax rate levied within NAS South Weymouth pursuant to section 19, in excess of the base rate and at only that level necessary to fund the operations of the authority as determined by the board pursuant to said section 19, subject to the approval of the department of revenue.

(ss) “Southfield revenue”, revenue generated in a single tax year through the assessment and collection of the Southfield rate.

(tt) “Taxation plan”, the plan established pursuant to section 19.

(uu) “Town appointees”, the Abington, Rockland and Weymouth appointees, collectively.

(vv) “Towns”, the towns of Abington and Rockland and the city known as the town of Weymouth.

(ww) “Trust Indenture”, the trust indenture referred to in the definition of “pledged revenue”.

(xx) “Weymouth appointees”, the members of the board appointed by the town of Weymouth.

(yy) “Zoning by-laws”, the “zoning and land use by-laws for NAS South Weymouth,” both in the form existing as of the effective date of this act, “existing zoning by-laws” and as they may be revised in accordance with this act.

(zz) “Zoning map”, the zoning district map referenced in section 4.3 of the existing zoning by-laws, both in the form existing as of the effective date of this act, “existing zoning map”, and as it may be revised in accordance with this act.

Section 5. The NAS South Weymouth redevelopment area shall be comprised of the central redevelopment area and the perimeter area and shall include the lands, including all easements, reservations and rights appurtenant thereto, and all buildings, structures, utilities and improvements located thereon, comprised of the former military base of that name presently located in the towns of Abington, Rockland and Weymouth and now or formerly within the ownership, control and jurisdiction of the United States, including those portions of the base property that have been transferred as of the effective date of this act to the United States Coast Guard and Federal Aviation Administration. Plans and descriptions detailing the precise boundaries and configuration of the NAS South Weymouth redevelopment area, including the precise boundaries of the land of NAS South Weymouth transferred to the United States Coast Guard and Federal Aviation

Administration, the precise boundaries of the land of each town located within the NAS South Weymouth redevelopment area and the precise boundaries of the central redevelopment area and perimeter area, were filed with the secretary and recorded in the Plymouth registry of deeds as plan number 760 in plan book 42 and the Norfolk registry of deeds as plan number 525 in plan book 467.

Section 6. Except as otherwise provided in, directed by or limited by this act, the authority shall have all of the powers necessary or convenient to carry out the purposes and provisions of this act, including the power to:

(a) exercise the rights provided to municipal governments and agencies under federal laws and regulations and under the Constitution, laws and regulations of the commonwealth subject to section 31 of chapter 44 of the General Laws;

(b) sue and be sued in all courts and to initiate or participate in actions and proceedings, whether judicial, administrative, arbitative or otherwise;

(c) adopt a seal and alter such seal at its pleasure and use it by causing it or a facsimile to be affixed or impressed or reproduced in any manner;

(d) own, acquire, manage, operate, convey or lease infrastructure improvements or any facilities for the project, including the distribution of public utilities including, but not limited to, electricity, gas, water, waste water and sewer and sewage treatment and disposal, refuse collection and disposal,

telecommunications and cable services;

(e) develop, own, manage, operate, regulate or lease wells to procure water from productive aquifers underlying the NAS South Weymouth redevelopment area in accordance with sections 38 and 39A of chapter 40 of the General Laws and determine and collect or authorize the collection on its behalf of assessments and other charges related to constructing and maintaining such systems, as provided in said chapter 40; provided, however, that the procurement of such water shall not materially adversely affect the supply of water available to a town;

(f) own, manage, operate, regulate, convey or lease facilities of common sewers and main drains and facilities for wastewater and sewage treatment and disposal and determine and collect or authorize the collection on its behalf, or on behalf of the master developer, of assessments and other charges related to financing, laying out, constructing, operating and maintaining such systems, as provided in this act and pursuant to chapter 83 of the General Laws;

(g) own, manage, operate, regulate or lease surface water reservoirs within the NAS South Weymouth redevelopment area or connect to or otherwise purchase or lease water from the water system of a town, any other municipality or any other governmental or quasi-governmental agency or any other public or private entity for the provision of water within the NAS South Weymouth redevelopment area, and manage,

operate, regulate, convey or lease any and all systems for the delivery of such water within the NAS South Weymouth redevelopment area; provided, however, that the procurement of such water shall not materially adversely affect the supply of water available to any of the towns;

(h) exercise the power of eminent domain within the NAS South Weymouth redevelopment area as provided in chapters 79, 79A, 80 and 80A of the General Laws;

(i) appoint, prescribe the qualifications and fix the compensation of employees and pay the same out of funds of the authority;

(j) appoint legal counsel and fix compensation for such services rendered to the authority;

(k) appoint qualified boards, commissions, committees or subcommittees, including those responsible for zoning, subdivision and other land use or permitting approvals whose members need not be directors of the board, and individuals, in addition to the advisory board established pursuant to section 11, to serve as unpaid advisors under such terms and conditions as it may deem necessary; provided, however, that such boards, commissions, committees, subcommittees and individuals may be reimbursed for incidental expenses determined by the authority to be necessary and incurred while performing the business of the authority;

(l) acquire, hold and dispose of personal property within the NAS South Weymouth redevelopment area for its corporate

purposes;

(m) acquire easements and other interests in land directly associated with the NAS South Weymouth redevelopment area in connection with the project;

(n) purchase, receive, take by grant, gift, devise, bequest, lease, or otherwise acquire, own, hold, improve, employ, use or otherwise manage real and personal property or any interest therein, whether tangible or intangible, for its purposes, located within the NAS South Weymouth redevelopment area, except for any federally-owned property of the former NAS South Weymouth which shall be or has been transferred to the United States Coast Guard and Federal Aviation Administration; provided, however, that when any of the excepted property is declared to be surplus to the needs of the United States government, the authority may obtain any and all like interest in the property as described herein;

(o) sell, convey, lease, exchange, transfer, or otherwise dispose of all or any of its real or personal property or any interest therein, using procedures adopted by the authority;

(p) apply for and, for the purposes of this act, accept gifts, loans, grants of property, funds, money, materials, labor, supplies or services from a person or from the United States government or its departments or agencies or from an agency of the commonwealth or a political subdivision thereof, or make agreements with respect to any such gifts, loans or grants, and to do any and all things necessary, useful, desirable

or convenient in connection with procuring, accepting or disposing of such gifts, loans or grants;

(q) purchase, take, receive, subscribe for, or otherwise acquire, hold, make a tender offer for, vote, employ, sell, lend, lease, exchange, transfer or otherwise dispose of, mortgage, pledge or grant a security interest in, use or otherwise deal in and with, bonds and other obligations, shares or other securities or interests therein issued by others, whether engaged in a similar or different business or activity;

(r) make and execute agreements, contracts, project labor agreements and other instruments necessary or convenient in the exercise of the powers and functions of the authority under this act, including contracts with a person, firm, corporation, municipality, commonwealth agency, governmental unit or other entity, foreign or domestic;

(s) assess and collect taxes, assessments, special assessments, betterments and fees within the NAS South Weymouth redevelopment area under the General Laws and the powers granted by this act, in order to generate revenues to pay the cost of operations of the authority, amounts due on outstanding indebtedness of the authority, maintenance of the property, environmental remediation and monitoring of the property and the maintenance of the project, infrastructure improvements within or associated with the NAS South Weymouth redevelopment area in accordance with this act, the General Laws, and zoning by-laws, including the funding

provisions thereof and for all other purposes for which cities and towns may assess and collect such taxes, assessments, special assessments, betterments and fees, and distribute revenues in accordance with section 19. In connection with the foregoing, the authority shall have all the powers and authority of cities and towns under chapters 59, 60, 60A, 61B and section 3A of chapter 64G of the General Laws, and any powers that require adoption by cities and towns if adopted by the authority;

(t) administer land use, subdivision, zoning and wetland protection controls and associated permitting, approval and entitlement activities within the central redevelopment area, and to enter into agreements with the towns whereby any such activities which the authority may determine shall be more effectively administered by a town shall be within such town's administration, subject to such town's agreement to enter into such agreement(s); provided, further, that any town's administration of such activities pursuant to any such agreement(s) shall be consistent with any expedited permitting standards or requirements then-applicable to the authority's conduct of such activities. Except as otherwise expressly provided in the zoning by-laws: (i) in the administration of the activities authorized under this section in the central redevelopment area, the authority may take action and issue permits, approvals, orders of conditions, and other land-use entitlements in accordance with the procedures and standards

from time to time applicable to municipalities and their boards, commissions and agencies so authorized to take such action or to issue any such permit, order of conditions, approval or other entitlement under the General Laws; provided, however, that the regulations developed and adopted by the authority under section 14 may provide for expedited permitting under which the time frames for action applicable to municipalities and their boards, commissions and agencies under the provisions of the General Laws are shortened; and (ii) all such actions, including a failure to take action, and such permits, approvals, orders of conditions or other land-use entitlements shall have the legal effect and duration as provided in the General Laws, except for any shortened time frames expressly provided in such regulations. Upon termination of the authority under section 33, the authority to administer such activities shall be vested in the towns in accordance with the dissolution and administration agreement and the General Laws, but no permit, approval, or other entitlement issued by the authority prior thereto pursuant to this act or pursuant to the prior enabling act or any activity undertaken or improvement made in accordance therewith shall be affected thereby. As further provided in subsection (i) of section 14, any municipal powers which do not involve the administration by the authority of such land use, subdivision, zoning and wetland controls and related entitlement activities shall remain with the towns in which the applicable real property is located unless expressly granted to said authority in

this act or elsewhere;

(u) develop, adopt, amend, implement and enforce by-laws and regulations for the general administration of the NAS South Weymouth redevelopment area pursuant to sections 21 to 33, inclusive, of chapter 40 of the General Laws or as otherwise permitted by law;

(v) borrow money at such rate or rates of interest as the authority may determine; issue its notes, bonds or other obligations to evidence such indebtedness, and secure any of its obligations by pledging any of its assessments, betterment fees, rents, fees or other revenues or by mortgage or pledge of all or any of its property, or any interest therein, tangible or intangible, whether then owned or thereafter acquired, as provided in this act and exercise all other rights and powers of cities and towns under chapter 44 of the General Laws; provided, however, that chapter 44 shall not be applicable to the manner of voting or the limitations as to the amount and time of payment or other details of debts incurred by the authority and, in the event of a conflict between the provisions of this act and chapter 44, the provisions of this act shall apply;

(w) arrange for guaranties of its notes, bonds or other obligations by the federal government, the commonwealth, the towns or by any private insurer or otherwise, and to pay any premiums therefor;

(x) issue such short and long term notes, bonds or other obligations, whether or not the interest to the holders is exempt

from taxation;

(y) purchase notes, bonds or other obligations of the authority at such price or prices, in such manner, and upon such terms, as the authority may determine;

(z) invest and reinvest its funds in such investments as may be lawful for fiduciaries in the commonwealth, and take and hold property as security for the payment of funds so invested, as provided in section 55 of chapter 44 of the General Laws;

(aa) procure insurance against any loss in connection with its property or the project in such amounts and from such insurers, including the federal government, and directors and officers liability insurance, as it may deem necessary or desirable, and to pay any premiums therefor;

(bb) enter into and perform contracts, project labor agreements, and other agreements, whether or not they may be deemed to constitute indebtedness under applicable law, for the joint or separate planning, financing, construction, purchase, operation, maintenance, use, sharing costs of, ownership, mortgaging, leasing, sale, disposal of, or other participation in facilities, products or services of any person who engages in business on property owned or controlled by the authority;

(cc) maintain a principal office within the NAS South Weymouth redevelopment area;

(dd) make any inquiry, investigation, survey, feasibility study or other study which the authority may deem necessary or advisable to enable it to carry out effectively this act;

(ee) apply to the appropriate agencies and officials of the federal government and the commonwealth for licenses, permits or approvals, as are ordinarily applied for by cities and towns, of its plans or the project as it may deem necessary or advisable, and to accept such licenses, permits or approvals as may be tendered to it by such agencies or officials, upon such terms and conditions as it may deem appropriate;

(ff) make by-laws and establish committees for the management and regulation of its affairs as it may deem necessary or advisable and, subject to agreement with bondholders, make rules pursuant to its own procedures for the use of the project and its property, and establish and collect assessments, rentals, fees and all other charges for the use of the project under the jurisdiction of the authority and for services or commodities sold, furnished or supplied by the authority;

(gg) contract for the environmental remediation, construction, operation or maintenance of any part of the project, or for services to be performed thereon, and rent parts thereof and grant concessions thereon, on such terms and conditions as the authority may determine, in accordance with the zoning by-laws; provided, however, that any such transaction shall be exempt from the public bidding and procurement requirements applicable to bodies politic and corporate of the commonwealth imposed by general or special law, including without limitation, the requirements of chapters

7, 30 and chapter 149 of the General Laws, but excluding sections 28 and 29 of said chapter 149, and regulations promulgated thereunder so long as the authority has, pursuant to an affirmative vote and by stating the public convenience and necessity therefor, exempted any such transaction from such requirement;

(hh) designate the depositories of its money within the commonwealth;

(ii) establish its fiscal year to commence on July 1 and end on June 30 of each year and change the fiscal year from time to time as the authority may deem necessary and appropriate;

(jj) take such other actions and exercise such other powers as it may deem necessary, advisable and convenient in the furtherance of the purposes of this act;

(kk) apply for and be eligible for any and all available financial and other assistance without further approval of any agency of the commonwealth pursuant to chapters 40R and 40S of the General Laws and similar statutes of the General Laws as a town would be so eligible pursuant to said chapters 40R and 40S; provided, however, that the NAS South Weymouth redevelopment area shall be deemed to be an approved smart growth zoning district under said chapter 40R, entitling the authority to all funds available under said chapters 40R and 40S in connection therewith, including without limitation density bonus payments and zoning incentive payments; and provided further, that the designation of the

NAS South Weymouth redevelopment area as a smart growth zoning district shall have no effect on the ability of the towns to otherwise obtain approvals for other land under said chapter 40R;

(ll) maintain, regulate, and otherwise own, manage and operate any street, public way or public use of a private way within the NAS South Weymouth redevelopment area, including any sewers, drains, sidewalks and other utilities and infrastructure located in any streets and ways, until such time any such street, public way, or public use of a private way is transferred to a town, the master developer, or other third party pursuant to this act or pursuant to land disposition agreements entered into between the authority, the United States Navy, or the master developer; and

(mm) assume responsibility for maintaining, monitoring and conducting other activities imposed by any condition of any license, permit or approval, or by any institutional control arising under any environmental law or regulation with respect to the project.

Section 7. The authority shall not be obligated to maintain, operate, improve or provide services, including police and fire protection, for those portions of the NAS South Weymouth which remain in federal ownership, nor shall the authority bear any responsibility or be liable for any injury, damage or loss arising out of or in connection with any activities which may occur on such federal property, nor as a result of any

improvements, damage, deterioration or environmental hazards occurring thereon.

Section 8. In addition to any other duties set forth in this act, the authority shall coordinate with, and provide information to, the United States and any officials or employees thereof, regarding any matter relating to the ownership, condition, closure, conversion, redevelopment or future use or operations of the NAS South Weymouth redevelopment area as required by the Defense Base Realignment and Closure Act. Notwithstanding any other provision of law, the authority shall be the only person or entity in the commonwealth authorized to negotiate, purchase or otherwise obtain on behalf of itself, the commonwealth or any of its political subdivisions, any fee ownership, easement, lease, license or other interest in any property in or on the NAS South Weymouth redevelopment area from the United States, except that a governmental entity of the commonwealth may acquire an interest from the authority to such property, if such acquisition and use of the property by a governmental entity of the commonwealth is consistent with the zoning by-laws.

Section 9. (a) The powers and management of the authority, which include all rights and powers of a town council or board of selectmen or mayor of a city or town except as otherwise provided in, directed by, or limited by this act, shall be vested in a board of 9 directors to be appointed as follows: (i) 1 member appointed by the board of selectmen of

the town of Abington; (ii) 2 members appointed by the board of selectmen of the town of Rockland; (iii) 2 members appointed by the mayor of the town of Weymouth; (iv) 1 member, who is an experienced labor representative and selected by the president of the Norfolk County Labor Council; (v) 2 members, each of whom shall have legal residency at NAS South Weymouth, one of whom shall be appointed by the Southfield Neighborhood Association and one of whom shall be appointed jointly by the mayor of the town of Weymouth and board of selectmen of Rockland from 4 candidates nominated by the Southfield Neighborhood Association, provided, however, that if such mayor and board have not jointly appointed a candidate within 14 days of becoming eligible to make such appointment, the board of the authority shall appoint this member by an affirmative vote of at least 5 members from the 4 candidates nominated under this clause; and (vi) 1 member, who shall be a member of the board of the South Shore Chamber of Commerce, selected by said chamber. The board shall appoint a chairman from among its members who shall serve in that capacity at the pleasure of the board.

(b) The terms of all 5 members serving on the board as constituted pursuant to the prior enabling act shall be terminated, and such existing board shall be deemed dissolved, on the latter of (i) the date that is 30 days following the effective date of this act and (ii) the date on which a new board composed in accordance with section 9 is fully appointed

which such full appointment shall occur no later than 60 days following the effective date of this act. Until the dissolution of the existing board pursuant to this section 9, the existing board shall continue to manage the business and affairs of the authority in the ordinary course and in a manner consistent with this act. Members of the existing board shall be eligible, following dissolution of the existing board, to serve additional terms on the board pursuant to this act. One town appointee from each town shall initially be appointed for a five (5) year term, and all other members shall be appointed for an initial term of three (3) years. Each of the chamber, labor, resident, and town appointees shall thereafter serve terms of 3 years apiece. Any town appointee may also be removed from the board by the executive of the town from which he or she was appointed for reasons deemed by such executive to be sufficient and proper. The resident appointee appointed by the Southfield Neighborhood Association may be removed from the board by the Southfield Neighborhood Association. The other resident appointee may be removed from the board by a vote of the executive authority of town of Weymouth and Rockland for reasons deemed to be sufficient and proper; provided, however, that if the appointee is appointed by the board of the authority, the appointee may only be removed by a majority vote of the board of the authority.

The labor representative or chamber representative may be removed by a vote of the executive authority of at least two (2)

of the towns. All board members shall be eligible for reappointment to additional terms at the expiration of their current terms. Vacancies shall be filled, as applicable, by the respective appointing authority for each such vacancy. Any action taken by the Authority as such board was seated pursuant to the prior enabling act to remove or terminate the master developer shall be null and void.

(c) The town appointees shall have demonstrated expertise and education and experience in 1 or more of the following areas: real estate development, housing, finance, planning, or engineering. The towns shall cooperate to assure the appointment of directors from as many of the foregoing disciplines as possible. The chamber and labor appointees shall have demonstrated expertise in large-scale real estate development and demonstrated expertise in 1 or more of the following areas: housing, finance, business, planning, environment, transportation or municipal government.

(d) Five members of the board shall constitute a quorum. The board may act only when a quorum is present, and then only by a majority of those actually voting, which must in all events include at least four affirmative votes.

(e) Directors may receive compensation as determined from time to time by the advisory board established by section 11. Directors shall receive reimbursement of such incidental expenses determined by the board to be necessary; provided, however, that the annual compensation of the directors shall

not exceed \$6,250 or 80 per cent of the total combined average of the annual salaries of the town councilors of the town of Weymouth, whichever is higher.

(f) Directors shall be residents of the commonwealth. No director or employee of the authority shall be a local elected public official of the town of Abington, Rockland or Weymouth, except that residents of the towns of Abington and Rockland who participate in their respective town meetings shall not be restricted from service as a director or employee of the authority. Each resident appointee shall maintain a legal residence within NAS South Weymouth, and each town appointee shall maintain a legal residence in his or her appointing town, at all times during his or her respective term on the board. Any resident or town appointee who fails to maintain his or her legal residence as required shall be automatically disqualified from further service on the board without need for further action by the board or the relevant appointing authority.

(g) Public employees or appointed officials of the federal government and the commonwealth and its political subdivisions may serve as directors of the authority so long as their service as director does not constitute a conflict of interest with their duties as public employees or appointed officials.

(h) Directors shall be subject to chapter 268A of the General Laws.

(i) The directors may, from time to time, by majority vote

designate employees of the authority, consultants and other individuals to participate on boards, commissions, committees and other organizations established by the authority or otherwise related to the project as a representative of the directors.

(j) The directors may, from time to time, by majority vote, authorize a person, other than a majority of the board, to issue endorsements, certificates and other ministerial documents in furtherance of actions taken by the board.

(k) The officers and directors of the authority shall have the full protections afforded by section 13 of chapter 258 of the General Laws to the same extent as municipal officers in a city or town which has accepted said section 13 of said chapter 258.

(l) Sections 18 to 25, inclusive, of chapter 30A of the General Laws shall apply to the authority.

Section 10. If a director, or member of his immediate family shall be interested either directly or indirectly, or shall be a director, officer or employee of or have an ownership interest in a firm or authority interested directly or indirectly, in a contract or other matter involving the authority, such interest shall be disclosed to the board and shall be set forth in the minutes of the board. The member having such interest shall not participate on behalf of the authority in any proceeding or decision relating to such contract or matter. For the purpose of this section, immediate family shall include spouse, parent, parent-in-law, brother, brother-in-law, sister, sister-in-law, son,

son-in-law, daughter, daughter-in-law and the parent or child of any of such individuals. Notwithstanding the foregoing, or the provisions of chapter 268A of the General Laws, an interest of a resident appointee or of a member of the immediate family of a resident appointee arising solely on account of the appointee's or immediate family member's residing at NAS South Weymouth shall not be disqualifying and shall not be deemed an impermissible conflict of interest.

Section 11. (a) There shall be an advisory board to the authority consisting of: (i) 1 voting representative appointed by the town of Abington and 1 voting representative appointed by the town of Hingham; (ii) 2 voting representatives appointed by the town of Rockland and 2 voting representatives appointed by the mayor of Weymouth; (iii) 1 voting representative of the Metropolitan Area Planning Council who shall be a member of and be designated by the board of the council and who shall reside in Norfolk county; (iv) 1 voting representative of the Old Colony Planning Council who shall be a member of and be designated by the board of the council and who shall reside in Plymouth county; and (v) 3 voting representatives to be appointed by the governor, 1 of whom shall be the secretary or a designee, 1 of whom shall be the secretary of housing and economic development or a designee and 1 of whom shall have demonstrated skill and expertise in matters relating to real estate development. The members of the advisory board representing a town shall be appointed by, and

serve at the pleasure of, the mayor of the town of Weymouth or board of selectmen of each such other town. The members of the advisory board appointed by the Metropolitan Area Planning Council and the Old Colony Planning Council shall serve at the pleasure of the councils. The members of the advisory board appointed by the governor shall serve at the pleasure of the governor.

(b) The total voting membership of the advisory board shall be 11 votes, equally weighted. The advisory board may act at regular periodic meetings called in accordance with its by-laws or at a special meeting called by the authority or by 6 or more members of the advisory board. A quorum of the advisory board shall consist of 6 representatives. The advisory board may act by the affirmative vote of a majority of the representatives present that constitute a quorum.

(c) For the conduct of its business the advisory board shall adopt and may revise and amend its own by-laws. The advisory board shall annually elect from among its members a chairperson, a vice chairperson and a secretary and such other officers as the advisory board may determine. Each such officer shall serve in such capacity at the pleasure of the advisory board and may be removed from such position by majority vote of the advisory board. In the event of a vacancy, the appointing authority shall fill the vacancy for the unexpired term. Each member of the advisory board shall serve without compensation but may be reimbursed for all reasonable

expenses incurred in the performance of his or her duties as approved by the advisory board and the authority.

(d) The purposes of the advisory board shall be as follows: (i) to review the annual report of the authority and to prepare comments thereon for the benefit of the authority, the governor and the towns, and to make such examinations of the reports on the authority's records and affairs as the advisory board deems appropriate; (ii) to hold regular meetings twice annually with the board of directors of the authority and, at the discretion of the advisory board and with the concurrence of the board of directors of the authority, special meetings with the board of directors of the authority as it deems necessary and appropriate on matters relating to the authority, and to hold meetings at other times as the advisory board may determine; (iii) to make recommendations to the authority on any budget; (iv) to make recommendations to the governor, the general court and the towns regarding the authority, its programs, and the project; and (v) to determine, from time to time, compensation for the directors pursuant to section 9.

(e) The authority shall provide such reasonable administrative and staff support to the advisory board as may be necessary for the efficient discharge of the advisory board's responsibilities pursuant to this act.

(f) Notwithstanding the provisions of chapter 268A of the General Laws, an interest of an advisory board member or of a member of the immediate family of an advisory board member

arising solely on account of the member's or immediate family member's residing at NAS South Weymouth shall not be disqualifying and shall not be deemed an impermissible conflict of interest.

Section 12. The board may from time to time hire employees and engage outside vendors or consultants, or both, as necessary to achieve the orderly functioning of the authority. Employees of the authority shall not be subject to the provisions of chapter 30 or section 45, 46, 51 or 52 of chapter 31 of the General Laws. Employees of the authority shall be subject to the provisions of chapter 268A of the General Laws. Compensation for employees of the authority shall be set by the board.

Section 13. The board may hire, fix and pay compensation, prescribe duties and qualifications and establish personnel policies without regard to any personnel or civil service law or personnel or civil service rule of the commonwealth. The employees of the authority shall not be classified employees of the commonwealth. An individual employed by the authority shall be deemed an employee at will and shall serve at the pleasure of the authority.

Section 14. (a)(1) The reuse plan is rescinded and terminated in its entirety and is to be of no further force and effect.

(2) The master plan is rescinded and terminated in its entirety as of the effective date of this subsection, and is to be

of no further force and effect.

(3) Notwithstanding the foregoing: (i) the provisions in the reuse plan regulating the phasing of residential and commercial development within the project shall be deemed to be abrogated and of no further force and effect as of the effective date of this act; and (ii) the provisions in the reuse plan governing the provision of “affordable” housing or “Workforce” housing, as such terms are defined in the affordable and workforce housing plan and the affordable and workforce housing regulations, are deemed abrogated and of no further force and effect as of the effective date of this act, and shall be replaced, as of the effective date of this act, by the requirements of clause (2) of subsection (b) of section 14.

(4) The zoning by-laws shall remain in effect, subject to their modification pursuant to the procedures set forth in this section. Such zoning by-laws, as they be modified in accordance with this from time to time, shall supersede the zoning by-laws of the towns with respect to land in the NAS South Weymouth redevelopment area.

(b) Notwithstanding the termination of the reuse plan pursuant to subsection (a) of section 14, the following elements of the reuse plan, as they may be modified below, shall remain applicable to the project:

(1) the commercial minimum, the residential maximum, and the senior housing minimum as defined in section 4. The zoning by-laws shall be administered and amended as

necessary to enforce and effectuate the commercial minimum, the senior housing minimum, and the residential maximum; provided, however, that nothing in this act shall be construed to prevent each town, acting in its sole discretion and consistent with other law, to allow (i) Commercial Development within the portion of the NAS South Weymouth redevelopment area within its municipal borders to exceed an amount that would cause the total amount of commercial development within NAS South Weymouth to exceed 2,000,000 square feet, or (ii) senior housing development within its portion of the NAS South Weymouth redevelopment area to be developed to an extent that would cause either the senior housing minimum or the residential maximum to be exceeded on a project-wide basis; and provided further that no town shall administer or amend the zoning by-laws in a manner that prevents the development of the residential maximum;

(2) notwithstanding anything to the contrary contained in this act or any other general or special law or bylaw or regulation of the authority, or in any existing agreement between the master developer and the authority or any other entity, of the residential units at NAS South Weymouth, a minimum of 10 per cent shall meet the requirements of “affordable” housing or “workforce” housing, as such terms are defined in the affordable and workforce housing plan and the affordable and workforce housing regulations. Affordable or workforce housing constructed within NAS South

Weymouth prior to the effective date of this act shall be counted towards the aggregate 10 per cent minimum requirement;

(3) the project shall be planned and built-out consistent with the “smart growth” and “sustainable” principles articulated in the reuse plan;

(4) passive and active recreational facilities shall be included in the further development of NAS South Weymouth, with such facilities to be of the type identified in the reuse plan; provided, however, that notwithstanding the generality of the preceding sentence, the master developer shall not be required to construct or operate a golf course; and

(5) the master developer shall submit to the authority no later than 7 months after the passage of this act an open space preservation plan that shall be consistent with any amenities plan agreed upon by the master developer and any of the 3 towns, which shall include a schedule for the removal of all existing runways, taxiways, traffic control towers and other infrastructure located on any land zoned open space as of the effective date of this act.

(c) Major zoning revisions shall not be effective until the town in which the land that is the subject of such revision is located approves the revision. No town shall consider a major zoning revision except at the initiative of the applicable town executive, the master developer, the town’s planning board, the town council in the case of Weymouth or a person owning land

to be affected by the revision. In addition to the requirements of chapter 40A of the General Laws, upon the filing of any application for major zoning revision to the town council in Weymouth or town meetings in Abington or Rockland, the town council or respective town meetings shall give notice of such filing to the authority, whereupon the authority shall publish a notice of a public hearing in a newspaper or general circulation within the NAS South Weymouth Region, and hold at least one public hearing in the NAS South Weymouth redevelopment area or in any one of the towns at which the public shall be afforded the opportunity to comment on the proposed revision. Within 90 days of receipt of a petition for a proposed major zoning revision, the receiving town shall convene a meeting of the town council in Weymouth or a town meeting if in Rockland or Abington for the purpose of adopting the proposed major zoning revision. The towns shall notify the authority of any major zoning revisions they may adopt, such notice to be provided within thirty days of obtaining the attorney general's approval of such revision if required pursuant to section 32 of chapter 40 of the General Laws. All other provisions of chapter 40A of the General Laws shall apply, except that the towns may reconsider a proposed major zoning revision pursuant to this Act within six months of an unfavorable action notwithstanding anything to the contrary in section 5 of chapter 40A of the General Laws. Pursuant to 53G of chapter 44 of the General Laws, a town may request, and the

master developer may elect to provide, reimbursement for legal fees incurred by the town in connection with the passage of this act.

(d) The board shall have the authority to make minor zoning revisions. In addition, the board shall within 90 days of its initial establishment under subsection (b) of section 9, make all revisions to the existing zoning by-laws and the reuse plan necessary to make the zoning by-laws conform to this act, including changes that eliminate all reference in the existing zoning by-laws to the reuse plan or the master plan. The authority shall be responsible for maintaining a codification of the zoning by-law that reflects all major zoning revisions adopted by the various towns, all minor zoning revisions adopted by the board, and all revisions to the zoning map made pursuant to section 14(e).

(e) The zoning map shall be deemed as of the effective date of this act to be revised to establish town-specific sub-districts within any zoning district that is shown on the existing zoning map as falling within more than one town. Within 180 days of the effective date of this act, the master developer and the applicable executive or executives shall jointly petition the applicable town or towns to initiate a zoning map amendment process that establishes the dedicated commercial zone. Notwithstanding anything to the contrary in this act or any General Law, no town may, before a time that is fifteen years from the effective date of this act, revise the location or

boundaries of portions of the dedicated commercial zone that falls within its borders except at the joint initiative of the master developer and that town's executive.

(f) Revisions to the zoning by-laws pursuant to subsection (d) of section 14 shall be by majority vote of the board. Prior to approving any minor zoning revision pursuant to said subsection (d) of said section 14, the authority shall publish a notice of public hearing in a newspaper of general circulation within the NAS South Weymouth region, send copies of the proposed zoning revision to the board of selectmen in the towns of Rockland and Abington and the mayor of the city known as the town of Weymouth, and hold at least one public hearing in the NAS South Weymouth redevelopment area or in any one of the towns at which the public shall be afforded the opportunity to comment on the proposed revision. The administrative provisions of the zoning by-laws or of any other regulation promulgated by the authority may provide for expedited permitting under which the time frames for actions, including a failure to take action, applicable to municipalities and their boards, commissions and agencies under the provisions of the General Laws may be shortened. Nothing in this section shall require the authority to be governed by the requirements of chapter 30A of the General Laws.

(g) The procedures set forth in this section for adopting revisions to the zoning by-laws shall be exclusive notwithstanding any general or special law to the contrary.

(h) Regulations for the effective implementation and enforcement of the zoning by-laws and revisions thereof shall be developed and adopted by the authority, pursuant to section 6. No regulation shall be adopted by the authority without first publishing notice of same in a newspaper of general circulation within the NAS South Weymouth Region, holding at least one public hearing in the NAS South Weymouth redevelopment area or in any one of the towns, and affording the opportunity for public comment. Nothing in this section shall require the authority to be governed by the requirements of chapter 30A of the General Laws.

(i) (1) As authorized in subsection (t) of section 6, the authority shall have exclusive authority to issue and enforce land use, subdivision and zoning permits, approvals, orders of conditions and other entitlements pursuant to the zoning by-law, regulations promulgated pursuant to subsection (h) of section 14, subdivision regulations, and wetland protection laws in effect within the Central redevelopment area. Such authority shall include the exclusive jurisdiction to sit as a permit granting authority pursuant to section 15 of chapter 40A of the General Laws. All other permitting, licensing, enforcement and entitlement authority vested in or conferred on municipalities, their executives, or their various departments and boards including without limitation their boards of health and inspectional services departments pursuant to the General Laws shall be vested in the town in which the applicable

portion of the project is located. Without limiting the generality of the preceding sentence, each town's inspectional services department will be responsible for issuing and enforcing building permits and certificates of occupancy for construction activities occurring within the respective town's borders.

(2) The town of Weymouth is authorized to issue a maximum of 13 alcoholic beverage licenses within the portion of the NAS South Weymouth redevelopment area located within Weymouth in accordance with chapter 138 of the General Laws, the town of Abington is authorized to issue a maximum of 2 alcoholic beverage licenses within a portion of the NAS South Weymouth redevelopment area located within Abington in accordance with chapter 138 and the town of Rockland is authorized to issue a maximum of 13 alcoholic beverage licenses within the portion of the NAS South Weymouth redevelopment area located within Rockland in accordance with said chapter 138; provided, however, that said licenses shall not diminish the number of licenses permitted by the commonwealth to be granted elsewhere within the towns of Weymouth or Rockland. None of the licenses authorized by this section shall be transferable outside the NAS South Weymouth redevelopment area. Nothing in this section shall be deemed to limit the ability of the towns to issue entertainment licenses and temporary alcoholic beverage licenses as it deems necessary and appropriate for activities

occurring within their respective borders.

(j) All decisions and determinations of the authority, whether legislative or adjudicatory in nature, shall be appealable by persons aggrieved by such decision or determination in accordance with applicable provisions of the General Laws. Where any applicable General Law requires notice of any such appeal to be filed with a municipal clerk, such filing shall be made with the clerk of the authority, and with the clerk of the town or towns in which the land directly affected by such decision or determination is located.

(k) Nothing in this act shall be interpreted as modifying or abrogating any permit, approval or entitlement issued by the commonwealth in relation to the project and pursuant to any law relating to the protection of human health or the environment.

Section 15. The board is hereby directed, within 90 days of its initial installation pursuant to subsection (b) of section 9, to revise, re-promulgate, re-issue, re-negotiate, and re-execute all regulations promulgated by the authority and currently in effect and all material agreements including the DDA in effect between the authority and the master developer, solely for the purpose of conforming such regulations, agreements and other documents to this act. Without limiting the generality of the foregoing, the DDA, as renegotiated pursuant to this section 15 shall:

(a) assign to the master developer the responsibility for

procuring, financing, operating and maintaining the permanent water supply and wastewater infrastructure for the project, and shall require the master developer to allocate and reserve, for the benefit of the Dedicated Commercial Zone, such portions of the permanent water supply and wastewater infrastructure as are adequate and necessary to serve commercial development within said zone. The DDA shall provide that the foregoing obligations shall be contingent on: (i) the execution by the commonwealth of an amendment contemplated by subsection (b) of section 34; (ii) a funding agreement contemplated by section 34(c); and (iii) the amendment of the trust indenture to permit the towns' collection and remittance of pledged revenue, as contemplated in section 19(a), or confirmation that no such amendment is required in order to permit such collection and remittance, as evidenced by a certificate delivered to the Secretary on or before October 15, 2014 by the trustee under the trust indenture. The permanent water and wastewater infrastructure may include the construction of a wastewater treatment plant and associated groundwater discharge facilities in the locations contemplated for such infrastructure in the master plan. Nothing in this section shall prevent the master developer from entering agreements that assign or delegate all or some of the master developer's rights or obligations with respect to the operation and maintenance of the permanent water supply and wastewater infrastructure to qualified third parties including, with their consent, any of the

towns; and

(b) not include any provision imposing monetary penalties or forfeitures on the master developer in the event the master developer elects not to develop a golf course as part of the project.

Section 16. The executive office for administration and finance and the executive offices of housing and economic development and of labor and workforce development shall identify a senior staff member who shall assist the towns with establishing a method for coordinating 1-stop licensing for all businesses and developments to be located within the NAS South Weymouth redevelopment area for the purpose of expediting the process for obtaining commonwealth licenses, permits, certificates, approvals, registrations, charters and meeting any other requirements of law.

Section 17. Each public agency in the commonwealth involved in the development or financing of economic development projects shall develop a coordinated 1-stop program for businesses, institutions and private parties that may intend to locate in the NAS South Weymouth redevelopment area in order to enable development activities within the NAS South Weymouth redevelopment area to be more effectively promoted by the commonwealth.

Section 18. (a) The authority may fix, revise, charge, collect, levy and abate betterments, assessments, special assessments and fees, and other charges for the cost,

administration and operation of the infrastructure improvements. In providing for the payment of the cost of the infrastructure improvements or for the use of the infrastructure improvements, the authority may avail itself of the General Laws relative to the assessment, apportionment, division, fixing, reassessment, revision, abatement and collection of infrastructure charges, including betterments, assessments, special assessments and fees by municipalities, or the establishment of liens therefor and interest thereon, and the procedures set forth in sections 5 and 6 of chapter 254 of the General Laws for the foreclosure of liens, as it shall deem necessary and appropriate for purposes of the assessment and collection of such infrastructure improvement charges.

Notwithstanding any general or special law to the contrary, the authority may pay the entire cost of any infrastructure improvements, including the acquisition thereof, during construction or after completion, or the debt service of notes or bonds used to fund such costs, from betterments, assessments, special assessments, fees, or other charges, and may establish the betterments, assessments, special assessments, fees or other charges, prior to, during, or a reasonable time following the completion of the construction of such infrastructure improvements. The authority may establish a schedule for the payment of betterments, assessments, special assessments, fees or other charges, not to exceed 35 years. The authority may determine the circumstances under which the betterments,

assessments, special assessments, fees and other charges, may be increased, if at all, as a consequence of delinquency or default by the owner of that parcel or any other parcel within the NAS South Weymouth redevelopment area.

(b) The betterments, assessments, special assessments, fees and other charges of general application authorized by this act may be increased in accordance with the procedures to be established by the authority for assuring that interested persons are afforded notice and an opportunity to present data, views and arguments. The initial schedule of assessments, special assessments, fees and other charges, may be adopted by the authority at any scheduled meeting of the board, provided that notice of the meeting, and the proposed schedule, is sent to each owner of a parcel within the NAS South Weymouth redevelopment area, by registered or certified mail at least 7 days prior to the meeting. Thereafter, the authority shall hold at least 1 public hearing on a revision to its schedule of betterments, assessments, special assessments, fees and other charges thereof prior to adoption by the authority, notice of which revisions shall be delivered to the towns and shall be published in a newspaper of general circulation in each of the towns at least 1 month in advance of the hearing. No later than the date of such publications, the authority shall make available to the public and deliver to the towns the proposed revisions to the schedule of special assessments, fees, betterments, assessments and other charges. The betterments, assessments,

special assessments, fees and other charges established by the authority shall not be subject to supervision or regulation by any department, division, commission, board, bureau or agency of the commonwealth or its political subdivisions, including without limitation, the towns, except for the approval of the taxation plan and any amendments thereof requiring approval by the secretary and commissioner of revenue.

(c) The betterments, assessments, special assessments, fees and other charges established by the authority in accordance with this act shall be fixed and adjusted in respect of the aggregate thereof so as to provide revenues sufficient: (i) to pay the principal of, premium, if any, and interest on bonds, notes or other evidences of indebtedness issued by the authority under this act as the same become due and payable; (ii) to create and maintain such reasonable reserves as may be reasonably required by a trust agreement or resolution securing bonds or notes; (iii) to provide funds for paying the cost of necessary repairs, replacements and renewals of infrastructure improvements; and (iv) to pay or provide for an amount that the authority may be obligated to pay or provide for by law or contract, including a resolution or contract with or for the benefit of the holders of its bonds and notes, provided that the authority shall not be required to increase any mandatory betterments, assessments, special assessments, fees or other charges by virtue of any individual proprietor delinquencies. Nothing herein shall be deemed to impose a limitation on the

authority's ability to establish, set, or impose betterments, assessments, special assessments, fees or charges at levels sufficient to meet any covenant requirements that may be contained in any resolution or contract with or for the benefit of the holders of its bonds or notes, or otherwise providing security for the same.

(d) As an alternative to levying betterments, assessments, special assessments, fees and other charges under this act or the General Laws, the authority may levy special assessments on real estate within the NAS South Weymouth redevelopment area to finance the cost, administration and operation of the infrastructure improvements. In determining the basis for and amount of the special assessment, the cost, administration, maintenance and operation of the infrastructure improvements, including the cost of the repayment of the debt issued or to be issued by the authority to finance the improvements, may be calculated and levied using any of the following methods that result in fairly allocating the costs of the infrastructure improvements to the real estate in the NAS South Weymouth redevelopment area: (1) equally per length of frontage, or by lot, parcel or dwelling unit, or by the square footage of a lot, parcel or dwelling unit; (2) according to the value of the property; or (3) in any other reasonable manner that results in fairly allocating the cost, administration and operation of the infrastructure improvements, according to the benefit conferred or use received including, but not limited to, by classification

of commercial or residential use or distance from the infrastructure improvements.

(e) The authority may also provide for the following: (1) a maximum amount to be assessed with respect to any parcel; (2) a tax year or other date after which no further special assessments under this section shall be levied or collected on a parcel; (3) annual collection of the levy without subsequent approval of the authority; (4) the circumstances under which the special assessment levied against a parcel may be increased, if at all, as a consequence of delinquency or default by the owner of that parcel or any other parcel within the NAS South Weymouth redevelopment area; and (5) procedures allowing for the prepayment of betterments, assessments, special assessments, fees and other charges under this act.

(f) Betterments, assessments, special assessments, fees and other charges levied under this act shall be collected and secured in the same manner as property taxes, betterments, assessments and fees owed to the towns unless otherwise provided by the authority and shall be subject to the same penalties and the same procedure, sale and lien priority in case of delinquency as is provided for such property taxes, betterments and liens owed to the towns.

(g) The appellate tax board shall have jurisdiction within the NAS South Weymouth redevelopment area pursuant to chapter 58A of the General Laws to the same extent as its jurisdiction in cities and towns. The authority shall have

exclusive responsibility for paying any reimbursement payments owed under section 69 of chapter 59 of the General Laws, or otherwise, as a result of the abatement, by such board or another body of competent jurisdiction, of any property tax assessments made by the authority prior to the complete transition of the assessing and taxing power to the towns pursuant to subsection (a) of section 19.

Section 19. (a) Notwithstanding any general or special law to the contrary, property taxes upon personal property, persons, residents and estates lying within the NAS South Weymouth redevelopment area, including both the central redevelopment area and the perimeter area, shall, commencing as of January 1, 2015, for the fiscal year commencing July 1, 2015, be imposed, levied and administered by each town for its respective portion of NAS South Weymouth, consistent with the General Laws that are applicable to municipalities. The towns shall collect upon the estates, real and personal, within NAS South Weymouth a property tax rate equal to the base rate plus the Southfield rate. In connection with the foregoing, the towns shall have all the powers and authority of cities and towns under chapters 40, 59, 60, 60A, 61B and section 3A of chapter 64G of the General Laws including, with respect to unpaid taxes due and owing as a result of prior assessments by the South Shore Tri-Town Development Corporation, the exclusive power to exercise enforcement and collection rights pursuant to said chapter 60 of the General Laws and other

relevant law, and may accept a local option under a general or special law related to the assessment, exemption or enforcement of property taxes and excises that cities and towns may accept. A property tax bill issued by a town pursuant to this subsection prior to the town's first opportunity to issue assessments pursuant to section 21 of said chapter 59 shall be based on the assessed value established by the authority in its most recent assessment of the property in question or such other assessed value as may have been determined for such property through abatement proceedings. The board shall notify each town of the Southfield rate to be charged in the next following fiscal year no later than March 1 of each year, and of the amount of pledged revenue to be remitted to the authority in the next following fiscal year, as provided below. The Southfield rate shall not be set for any given fiscal year until at least 45 days after the board provides each executive with written notice of and an opportunity to comment on the proposed rate and the Authority operating budget on which it is based. During such 45-day period, the executives in Rockland and Abington, and the town council in Weymouth to which the rate-setting notice shall be referred by the mayor of Weymouth shall convene a public hearing for the purpose of obtaining public comment on the proposed Southfield rate. No later than 30 days after collection of property taxes for each fiscal quarter, each town shall remit to the authority the Southfield revenue collected by such town in the preceding fiscal quarter.

Each town shall also, with each remittance of Southfield Revenue to the authority, remit pledged revenue that it collected during the relevant period. Nothing in this act shall be deemed to limit a town's ability, in respect of any given fiscal year or other period, to remit property tax revenue in excess of Southfield revenue to the authority. Southfield revenue shall not be deemed to constitute any part of "total taxes assessed" by the towns for the purposes of administering section 21C of chapter 59 of the General Laws. Land and improvements located within each town's respective portion of NAS South Weymouth shall, in the fiscal year commencing July 1, 2015, be deemed for all purposes to be additional new growth within that town within the meaning of paragraph (f) of section 21C of said chapter 59 and section 23D of said chapter 59.

(b) In consideration of the collection and retention of base revenue pursuant to section 19(a) and of the transfer of ways and associated infrastructure pursuant to subsection (c) of section 19, commencing January 1, 2015, each town shall assume responsibility for providing police and fire protection, emergency services, schools, public way maintenance, public works, inspectional and other municipal services, not including waste collection, to its respective portion of NAS South Weymouth except for portions owned or controlled by agencies of the United States government on the same basis and terms as it provides such services to other parts of the town.

Notwithstanding the generality of the preceding sentence, no town shall be required to provide water or sewer services to any portion of NAS South Weymouth except pursuant to agreement with the authority or the master developer including pursuant to the phase I water and wastewater agreement; provided further that no water shall be supplied to NAS South Weymouth from the Great Sandy Bottom Pond in the town of Pembroke. For purposes of determining state education assistance, including without limitation the calculation of each town's foundation enrollment under chapter 70 of the General Laws, each school-age child living within NAS South Weymouth shall be counted as a child enrolled in the town in which the child resides, and all expenses incurred by each respective town on behalf of such childrens' education shall be included as expenses of the town incurring such costs in the determination of each respective town's share of such assistance, including without limitation each town's foundation budget under said chapter 70.

(c) No later than January 1, 2015, the authority and the master developer, as the case may be, will take all actions necessary to transfer to the applicable town control of all existing public ways, or ways maintained and used as public ways, located within NAS South Weymouth, together with associated infrastructure including public utilities and sewer and storm drain lines located within or adjacent to the rights of way of such ways, and each town shall, without regard to the

requirements of chapter 82 of the General Laws or other general or special laws, accept the applicable portion of such way or ways as a public way in said town. Each town shall accept as a public way any new public way and associated infrastructure developed, constructed or acquired by the authority or the master developer, as the case may be, within NAS South Weymouth following the effective date of this act provided the board has approved the layout and construction of such way consistent with the authority's subdivision regulations, and provided further that the customary street acceptance procedures of the town in which the way is to be accepted as a public way are satisfied and such town agrees that the way has been constructed in accordance with such regulations. Notwithstanding any general or special law to the contrary, (i) public ways or portions thereof located within NAS South Weymouth and for which a town assumes maintenance, repair and other obligations pursuant to this section 19(c) shall be included in the apportionment for such town of state assistance to cities and towns under chapter 90 of the General Laws or under any other statute or program providing financial assistance to cities and towns of the commonwealth in connection with transportation matters, (ii) any other attributes of a town located within NAS South Weymouth including without limitation population and employment shall likewise be included for purposes of such apportionment, and (iii) improvement, maintenance, repair or

other projects related to said public ways shall be eligible for such assistance. The provisions of this section 19(c) shall not apply to the parkway, existing and future portions of which shall remain subject to the master developer's control until such time as the master developer transfers control to a third party on such terms as the master developer and such third party may agree, subject to the approval of the authority.

(d) Except for the phase I water and wastewater agreement and the consecutive water agreement, any existing agreements between the towns and the authority or the master developer, as applicable, related to the provision of municipal services to NAS South Weymouth, and the rates charged for such services, shall be rescinded and shall have no further force and effect as of January 1, 2015. The phase I water and wastewater agreement is hereby deemed to be extended until July 1, 2016, notwithstanding any prior expiration of such agreement that may have occurred according to its terms. The term of the consecutive water agreement may be subject to modification by and between the parties thereto and in accordance therewith.

(e) Unless (i) the parties execute an amendment contemplated by subsection (b) of section 34; (ii) a funding agreement is negotiated as contemplated by subsection (c) of section 34; and (iii) the trust indenture is amended to permit the towns' collection and remittance of pledged revenue, as contemplated in subsection (a) of section 19, or confirmation is provided that no such amendment is required in order to permit

such collection and remittance, as evidenced by a certificate delivered to the secretary on or before October 15, 2014 by the trustee under the trust indenture, then subsections (a) to (d), inclusive of said section 19 shall be considered void, and the matters addressed in said sections shall continue to be addressed as they were under the prior enabling act. Following the termination of the authority in accordance with section 33, each town shall have the authority to assess, impose, levy and collect property taxes on properties located within its respective portion of the NAS South Weymouth Development Area on the same basis as such town administers its property tax collection system elsewhere within the town. In the event that subsections (a) to (d), inclusive of said section 19 are void for reasons set forth in this paragraph, excess revenues of the authority, as that term is defined in the reuse plan and zoning bylaws, shall be distributed by the board annually within 120 days following the end of the authority's fiscal year to the towns on a ratable basis according to the then-assessed value of land within their respective portions of NAS South Weymouth.

(f) This section shall take effect upon approval by the secretary and the commissioner of revenue of a taxation plan prepared by the board in consultation with the towns for the purpose of ensuring the orderly assessment and collection of property and other taxes, and payment of bonds or notes secured with a pledge of such taxes under this section. The taxation plan shall be submitted to the secretary and the

commissioner of revenue on or before October 15, 2014. The taxation plan shall detail the specific powers and duties of the authority and the towns; provide for the timely transfer of assessment and collection records from the authority to the towns; detail the oversight to be provided by the commissioner of revenue regarding the base rate and Southfield rate, including required reports and other information; and address such other pertinent matters as determined by the secretary and the commissioner of revenue.

Section 20. (a) The authority may provide by resolution of the board for the issuance of bonds and notes of the authority for the purposes of paying or refinancing all or any part of the cost of the project and its infrastructure improvements. Such cost shall include the cost of: (1) construction, reconstruction, renovation and acquisition of all lands, structures, real or personal property, rights, rights-of-way, franchises, easements and interests acquired or to be acquired by the authority, the towns, the commonwealth or any other political subdivision thereof, including the costs of any infrastructure and improvements to be transferred to the towns in accordance with subsection (c) of section 19; (2) all machinery and equipment including machinery and equipment needed to expand or enhance services from the towns, the commonwealth or a political subdivision thereof to the authority; (3) financing charges and interest prior to and during construction, and for a period not exceeding 1 year after completion of the

construction, interest and reserves for principal and interest, including costs of municipal bond insurance and any other type of financial guaranty and costs of issuance; (4) extensions, enlargements, additions and enhancements to infrastructure improvements; (5) architectural, engineering, financial and legal services; (6) plans, specifications, studies, surveys and estimates of costs and of revenues; (7) administrative expenses necessary or incident to the construction, acquisition, financing, operation and maintenance of the project; and (8) other expenses as may be necessary or incident to the construction, acquisition, operation, maintenance and financing of the infrastructure improvements, including the cost of issuing bonds or notes. The authority may issue up to \$175,000,000 of its bonds. The authority may issue bonds secured in whole or in part by betterments, assessments, special assessments, fees and other charges, notes, debentures, long term capital leases, grants and governmental assistance and long-term contracts; provided that the authority may not secure any bonds or notes issued after the effective date of this section with a pledge or other commitment of ad valorem property taxes assessed by the authority or the towns pursuant to said section 19. The principal of and interest on such bonds shall be payable solely from the funds which are identified by the authority and are permitted by this act to provide for such payment. The bonds of each issue shall be dated, shall bear interest at such rates, which may be variable or fixed, and shall

mature at times not exceeding 35 years from their dates of initial issuance, as the authority may determine, and may be made redeemable before maturity, at the option of the authority, at such prices and under such terms and conditions as the authority may fix prior to the issuance of the bonds. The authority shall determine the form of the bonds and the manner of execution of the bonds, and shall fix the denominations of the bonds and the places of payment of principal and interest, which may be at a bank or trust company within or without the commonwealth and such other locations as designated by the authority. In the event an officer whose signature or a facsimile of whose signature shall appear on any bonds shall cease to be an officer before the delivery of the bonds, the signature or facsimile shall nevertheless be valid and sufficient for all purposes as if such officer had remained in office until the delivery. The bonds shall be issued in registered form. The authority may sell the bonds in a manner and for a price, either at public or private sale, as it may determine to be for the best interests of the authority.

(b) Prior to the preparation of definitive bonds, the authority may, under like restrictions, issue interim receipts or temporary notes, with or without coupons, exchangeable for definitive bonds when such bonds have been executed and are available for delivery. The authority may also provide for the replacement of bonds that shall become mutilated or shall be destroyed or lost. The authority may issue, from time to time,

notes of the authority in anticipation of federal, state or local grants for the cost of the project and acquiring, constructing or improving the infrastructure improvements. The notes shall be authorized, issued and sold in the same manner as provided in, and shall otherwise be subject, this act. Such notes shall mature at such times as provided by the issuing resolution of the authority and may be renewed from time to time; provided, however, that all such notes and renewals thereof shall mature on or before 20 years from their date of issuance. Bonds and notes may be issued under this act subject only to those proceedings, conditions or things that are specifically required by this act.

(c) The authority may provide by resolution for issuance of refunding bonds of the authority for the purpose of refunding bonds then outstanding at maturity or upon acceleration or redemption. Refunding bonds may be issued at such times prior to the maturity or redemption of the refunded bonds as the authority deems to be in the public interest. Refunding bonds may be issued in sufficient amounts to pay or provide for the principal of the bonds being refunded under this act, and the payment of a redemption premium thereon and interest accrued or to accrue to the date of redemption of such bonds, and, if deemed advisable by the authority, for the additional purpose of paying any cost of the project, including the acquisition, constructing or reconstructing of the infrastructure improvements. The issuance of such bonds, the maturities and

other details thereof, the rights of the holders thereof, and the duties of the authority in respect to the same shall be governed by this act insofar as the same may be applicable.

(d) While bonds issued by the authority remain outstanding, the powers, duties or existence of the authority shall not be diminished or impaired in any way that will adversely affect the interests and rights of the holders of such bonds.

(e) The board may by resolution delegate to a person, other than a majority of the board, the power to determine any of the matters set forth in this section.

(f) Bonds and notes issued under this section, unless otherwise authorized by law, shall not be deemed to constitute a debt of the commonwealth or of the towns, or a pledge of the faith and credit of the commonwealth or of the towns, but such bonds shall be payable solely from the funds of the authority or as otherwise provided in this act. Unless the towns or the commonwealth subsequently agree to pay the bonds or notes of the authority, such bonds and notes shall contain on their faces a statement to the effect that neither the commonwealth nor the towns shall be obliged to pay the same or the interest thereon and that neither the faith and credit nor taxing power of the commonwealth or the towns is pledged to the payment of the principal of or the interest on such bonds or notes. Without limiting the generality of the foregoing, nothing in this act shall be construed as imposing on any town any obligation with

respect to the repayment of the series 2010A bonds and any debt issued by the authority pursuant to this act.

(g) All bonds or notes issued under this act shall have all the qualities and incidents of negotiable instruments as defined in section 3-104 of chapter 106 of the General Laws.

(h) Prior to the issuance of bonds with a maturity date later than the date the authority is required to be terminated pursuant to section 33, the mayor of the town of Weymouth and boards of selectmen of the towns of Abington and Rockland, in consultation with the authority, shall enter into an intermunicipal debt service agreement acceptable to the authority, which shall provide for the continued payment of principal and interest on such bonds and the maintenance of all required reserves and any other obligations as may be set forth in the applicable bond instruments from betterments, assessments, special assessments, fees, other charges and other revenues generated in the NAS South Weymouth redevelopment area and the authority and the towns may enter into and perform their respective obligations under such debt service agreement; provided, however, that such agreement shall not extend the duration of the authority past the date on which it is to be terminated pursuant to section 33.

Section 21. (a) In the discretion of the authority, bonds, refunding bonds or notes may be secured by a trust agreement by and between the authority and a corporate trustee, which may be a trust company or bank having the powers of a trust

company within or without the commonwealth. Such trust agreement may pledge or assign the revenues to be received, but shall not convey or mortgage the project or a part thereof.

(b) Either the resolution providing for the issuance of bonds or notes or the trust agreement may contain provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including, without limiting the generality of the foregoing, provisions defining defaults and providing for remedies in the event thereof, which may include the acceleration of maturities and covenants setting forth the duties of, and limitations on, the authority in relation to the acquisition, maintenance, operation, insurance and disposition of property, custody, safeguarding, investment, application of moneys, use of any surplus bond or note proceeds and establishment of reserves. Such resolution or trust agreement may contain, but shall not be limited to, covenants by the authority in relation to the following: (i) the establishment, revision and collection of such betterments, assessments, special assessments, fees and other charges for services or facilities furnished or supplied by the authority as shall provide revenues which together with other revenues of the project, if any, are sufficient to pay (1) the cost of maintaining, repairing and operating the project and of making renewals and replacements in connection therewith, (2) the principal of and the interest on the bonds or notes, as the same shall become

due and payable, (3) payments in lieu of taxes, betterments, assessments, special assessments, fees and other charges and (4) reserves for all such purposes; (ii) the purposes for which the proceeds of the sale of the bonds or notes shall be applied and the use and disposition thereof; (iii) the use and disposition of the gross revenues of the authority from the project, additions thereto and extension and the infrastructure improvements thereof, including the creation and maintenance of funds for working capital and for renewals and replacements to the project; (iv) the amount, if any, of additional bonds or notes payable from the revenues of the project and the limitations, terms and conditions on which such additional bonds or notes may be issued; and (v) the operation, maintenance, management, accounting and auditing of the project and of the income and revenues of the authority.

(c) It shall be lawful for a bank or trust company within or without the commonwealth to act as depository of the proceeds of bonds or revenues and to furnish such indemnifying bonds or to pledge such securities as may be required by the authority. Such trust agreement may set forth the rights and remedies of the bondholders and of the trustee and may restrict the individual right of action by bondholders as is customary in trust agreements or trust indentures securing bonds and debentures of authorities. Such trust agreement may contain other provisions as the authority may deem reasonable and proper for the security of the bondholders. All expenses

incurred in carrying out the provisions of such trust agreement may be treated as a part of the cost of the operation of the project. The pledge by any such trust agreement or resolution shall be valid and binding from the time when the pledge is made. The revenues or other moneys so pledged and then held or thereafter received by the authority shall immediately be subject to the lien of such pledge without a physical delivery thereof or further act. The lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the authority, irrespective of whether such parties have notice thereof. The financing document by which any pledge is created by the authority shall not be required to be filed or recorded to perfect such pledge except in the official records of the authority and no uniform commercial code filing shall be required to be made. A pledge or assignment made by the authority is an exercise of its political and governmental powers, and revenues, funds, assets, property and contract or other rights to receive the same and the proceeds thereof which are subject to the lien of a pledge or assignment created under this act shall not be applied to purposes not permitted by the pledge or assignment.

(d) In addition to other security provided herein or otherwise by law, bonds, notes or obligations issued by the authority under this act may be secured, in whole or in part, by a letter of credit, line of credit, bond insurance policy, liquidity

facility or other credit facility for the purpose of providing funds for payments in respect of bonds, notes or other obligations required by the holder thereof to be redeemed or repurchased prior to maturity or for providing additional security for such bonds, notes or other obligations. In connection therewith, the authority may enter into reimbursement agreements, remarketing agreements, standby bond purchase agreements and any other necessary or appropriate agreements. The authority may pledge or assign the authority's revenues as security for the reimbursement by the authority to the providers of such letters of credit, lines of credit, bond insurance policies, liquidity facilities or other credit facilities of any payments made under the letters of credit, lines of credit, bond insurance policies, liquidity facilities or other credit facilities.

(e) In connection with, or incidental to, the issuance of bonds, notes or other obligations, the authority may enter into such contracts as it may determine to be necessary or appropriate to place the bonds, notes or other obligations of the authority, as represented by the bonds or notes, or other obligations in whole or in part, on such interest rate or cash flow basis as the authority may determine, including without limitation, interest rate swap agreements, insurance agreements, forward payment conversion agreements, futures contracts, contracts providing for payments based on levels of, or changes in, interest rates or market indices, contracts to

manage interest rate risk, including without limitation, interest rate floors or caps, options, puts, calls and similar arrangements. Such contracts shall contain such payment, security, default, remedy and other terms and conditions as the authority may deem appropriate and shall be entered into with such parties as the authority may select, after giving due consideration, where applicable, for the creditworthiness of the counter parties, including a rating by a nationally-recognized rating agency, the impact on a rating on outstanding bonds, notes or other obligations or other criteria the authority may deem appropriate.

(f) The authority shall have the power to purchase its bonds or notes out of any funds available therefor. The authority may hold, pledge, cancel or resell such bonds or notes, subject to and in accordance with agreements with bondholders.

(g) Any moneys received by the authority, whether as proceeds from the issuance of bonds or notes, or as revenue or otherwise, may be designated by the board as trust funds to be held and applied solely as provided in this act.

Section 22. Bonds, refunding bonds and notes issued under this act shall be securities in which all public officers and public bodies of the commonwealth and its political subdivisions, all insurance companies, trust companies and their commercial departments and within the limits set forth in chapter 172 of the General Laws, banking associations,

investment companies, executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may hereinafter be authorized to invest in bonds or other obligations of a similar nature may properly and legally invest funds, including capital in their control or belonging to them; and such bonds are shall be obligations that may properly and legally be made eligible for the investment of savings deposits and the income thereof in the manner provided in chapter 168 of the General Laws. Such bonds shall be securities that may properly and legally be deposited with and received by a state or municipal officer or an agency or political subdivision of the commonwealth for a purpose for which the deposit of bonds or other obligations of the commonwealth is now or may hereafter be authorized by law.

Section 23. A holder of bonds or notes issued under this act and a trustee under a trust, except to the extent the rights herein given may be restricted by the trust agreement, may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce all rights under the laws of the commonwealth or granted hereunder or under the trust agreement, and may enforce and compel the performance of all duties required by this act or by the trust agreement, to be performed by the authority or by an officer thereof.

Section 24. The towns and the commonwealth are pledged to agree with the holders of the bonds or notes that neither the towns nor the commonwealth shall limit or alter or cause to

limit or alter the rights hereby vested in the authority to acquire or maintain the project or infrastructure improvements, to establish and collect betterments, assessments, special assessments, fees and other charges and to fulfill the terms of any agreements made with the holders of the bonds or notes nor impair the rights and remedies of the bondholders or noteholders, until the bonds or notes, together with interest thereon, with interest on any unpaid installments of interest and all costs and expenses in connection with an action or proceeding by or on behalf of the bondholders or noteholders, are fully met and discharged.

Section 25. (a) The creation of the authority and the carrying out of its corporate purposes shall be for the benefit of the people of the commonwealth and shall be a public purpose, and the authority shall be regarded as performing a governmental function in the exercise of the powers conferred upon it by this act and shall be required to pay no taxes or assessments upon any of the property acquired by it or under its jurisdiction, control or supervision or upon its activities.

(b) Any bonds issued under this act, including an exchange, sale or transfer of such bonds, and any income derived therefrom, and the property of the agency shall at all times be free from taxation by the commonwealth or any political subdivision or entity thereof to the extent permitted by federal law.

(c) Bonds or notes issued under this act shall be subject to

the same reporting and oversight requirements that apply to a municipality under the General Laws.

Section 26. The authority shall be liable in contract and in tort in the same manner as a municipal authority. The directors, officers, employees and agents of the authority, including members of the advisory board established pursuant to section 10, shall not be liable as such on their contracts or for torts not committed or directly authorized by them. The property or funds of the authority shall not be subject to attachment or to levy and sale on execution, but if the authority refuses to pay a judgment entered against it in a court of competent jurisdiction, the superior court, sitting within and for Norfolk county or Plymouth county, may direct the treasurer of the authority to pay such judgment. The real estate owned by the authority shall not be subject to liens under chapter 254 of the General Laws, but sections 28 and 29 of chapter 149 of the General Laws shall be applicable to any construction work by the authority.

Section 27. Notwithstanding any general or special law to the contrary, the authority shall be deemed to be a public employer for purposes of chapter 258 of the General Laws.

Section 28. (a) The authority may, if appropriate, make application to the United States Department of Housing and Urban Development or, as necessary, any other federal agency, to designate all or a portion of the NAS South Weymouth redevelopment area as an enterprise zone, pursuant to 42

U.S.C. § 11501 et seq., as amended, or an existing or successor statute for the purpose of creating jobs and encouraging development in the NAS South Weymouth redevelopment area.

(b) The NAS South Weymouth redevelopment area and the towns of Abington, Rockland and Weymouth are hereby designated economic target areas as defined in section 3D of chapter 23A of the General Laws. Pursuant to such designation, certain development project within the NAS South Weymouth redevelopment area and the entirety of the towns of Abington, Rockland and Weymouth shall be eligible for tax deductions, credits and abatements and other economic incentives as provided for in sections 3E to 3G of said chapter 23A. The authority shall render such certifications as are required by law for the project within the central redevelopment area, including the designation of economic opportunity areas, and each town shall render such certifications within its respective sector of the perimeter area and portions of the towns not included in the NAS South Weymouth redevelopment area. The designation of the NAS South Weymouth redevelopment area and the towns of Abington, Rockland and Weymouth as economic target areas shall be in addition to the economic target areas that may be established pursuant to paragraph 5 of said section 3E of said chapter 23A.

Section 29. The authority shall be subject to all laws

applicable to municipal redevelopment authorities created under section 4 of chapter 121B of the General Laws.

Section 30. The authority or its agents may enter into project labor agreements covering construction performed by it consistent with its powers under this act.

Section 31. The authority shall keep an accurate account of its activities including its receipts and expenditures. The authority shall prepare annual reports of its activities in the NAS South Weymouth redevelopment area during the preceding fiscal year and submit such reports to the governor, secretary, general court, advisory board, mayor of the town of Weymouth, the town manager of the town of Abington, the town administrator of the town of Rockland, the town council of the town of Weymouth, the boards of selectmen of the towns of Abington and Rockland and the town clerk of each of those towns. Each report shall set forth a complete operating and financial statement covering the authority's operations in the NAS South Weymouth redevelopment area during the previous year. The authority shall cause an audit of its books and accounts relating to the NAS South Weymouth redevelopment area to be made at least once in each fiscal year by certified public accountants. The audit shall be filed with the state auditor annually not later than 120 days after the end of the authority's fiscal year and shall be in a form prescribed by the state auditor. The state auditor shall audit the authority's books and accounts in accordance with section 12 of chapter 11 of the

General Laws. The state auditor may investigate the budget, finances, transactions and relationships of the authority at any time and may examine the authority's records and prescribe methods of accounting and the rendering of periodic reports. The audits of the authority shall be public records; provided, however, that the mayor of the town of Weymouth, the town manager of the town of Abington, or the town administrator of the town of Rockland may each conduct annual audits at the expense of the respective towns. During the period between the effective date of this act and January 1, 2015, the authority (i) may not incur any expenditure that is not consistent with its then-effective budget without the prior written consent of each Executive, and (ii) shall timely pay expenses incurred in the ordinary course of its operations, in accordance with said budget. Any property tax revenue collected by the authority during such period and not expended in accordance with the previous sentence shall be remittable to the towns on a ratable basis according to the then-assessed value of land within their respective portions of NAS South Weymouth on January 1, 2015. Any unexpended fees held by the authority as of January 1, 2015 in connection with the issuance of a building permit shall be remittable, on such date, to the town assuming the further administration of such permit pursuant to section 19(b).

Section 32. Chapter 40B of the General Laws shall not apply to the provision of affordable housing within the NAS South Weymouth redevelopment area. Such affordable

housing within the NAS South Weymouth redevelopment area shall be governed by section 14(b)(2), the zoning by-laws and the regulations adopted thereunder. None of the land located within the NAS South Weymouth redevelopment area, nor any of the housing which may be constructed thereon from time to time, shall be included in any calculation applicable to said chapter 40B with respect to any of the towns. This section shall continue in full force and effect following the dissolution of the authority pursuant to section 33.

Section 33. (a) The authority shall be dissolved upon: (i) the bond termination date; and (ii) the approval of the dissolution and administration agreement by the towns as described in subsection (b); provided, however, that in no event shall the authority be dissolved prior to August 13, 2018. Within 30 days after: (i) the bond termination date; and (ii) such approval of the dissolution and administration agreement, the board shall file a certificate acknowledging such dissolution with the state secretary. The dissolution of the authority shall take effect upon the filing of such certificate, subject to the applicable provisions of section 51 of chapter 155 of the General Laws. In connection with the application of said section 51 of said chapter 55, any real property owned by the authority at the time of dissolution shall be deemed to be distributed automatically to and become the property of the town in which it is located, consistent with the dissolution and administration agreement, and the personal property of the

authority shall be equitably allocated to the towns according to the terms of the dissolution and administration agreement; provided, however, that the authority shall not issue any bonds after the date that is one year following the completion of the redevelopment of the NAS South Weymouth redevelopment area contemplated in the Reuse Plan and the zoning by-laws.

(b) At least 24 months prior to the bond termination date, the board shall prepare and distribute to the towns a dissolution and administration agreement. The dissolution and administration agreement shall provide, but shall not be limited to, the following: (i) provisions for the disposition of all real and personal property within the NAS South Weymouth redevelopment area which the authority owns or has an interest in on the bond termination date; (ii) provisions for the assumption of all contractual obligations, including all lease agreements of the authority, which do not expire on the bond termination date; (iii) provisions for the transfer and assumption by the towns of the authority's zoning administration, licensing and permitting authorities; and (iv) provisions for the resolution of any other matters relating to the authority which may affect the interests of the towns. Within 120 days after receipt of the dissolution and administration agreement, the mayor of the town of Weymouth shall convene a meeting of the town council of the town of Weymouth and the boards of selectmen of the towns of Abington and Rockland shall convene a town meeting of their respective

towns for the purpose of adopting by majority vote of the town council and each town meeting the dissolution and administration agreement. Each town shall vote to adopt or disapprove the agreement as submitted. No amendments to the agreement shall be made by the towns. Each town shall, within 30 days after adoption or rejection of the agreement at a town council meeting or a town meeting, as the case may be, provide the authority with a written notification stating whether the town council or town meeting adopted or rejected the agreement. Any town that has rejected the agreement shall have 1 year from the date of such disapproval to reconsider its decision and rescind its rejection and adopt the dissolution and administration agreement. Once a town adopts the agreement, it shall not thereafter vote to disapprove or reject it. If all 3 towns have not adopted the agreement at least 1 year prior to the bond termination date, the authority shall remain in existence and carry out its functions consistent with this act. If the towns fail to adopt the agreement, the general court may, at any time after the bond termination date, terminate the authority's existence, provide for the distribution of the its assets and determine other provisions as required for the dissolution and administration agreement.

Section 34. (a) Notwithstanding any provision of this act to the contrary, the authority shall perform its obligations under the Parkway Financing MOA, including without limitation, reimbursement to the commonwealth of any "deficiency

payment,” as defined in the Parkway Financing MOA, which obligation of the authority shall constitute a general obligation of the authority for which the full faith and credit of the authority shall be pledged for the benefit of the commonwealth. The betterments, assessments, special assessments, fees and other charges established by the authority in accordance with this act shall be fixed and adjusted so as to provide revenues at least sufficient to pay, in addition to all other amounts set forth in section 18, any amounts that the authority may be obligated to pay or provide for, pursuant to the Parkway Financing MOA or the financing agreement referenced therein. The corporation may collect the data described in sections 3 and 4 of the Parkway Financing MOA for the purposes described therein.

(b) This subsection shall take effect upon approval by the secretary and the secretary of housing and economic development of a redevelopment plan submitted to the secretary by the authority or by any of the 3 constituent municipalities, such approval not to be unreasonably withheld. The secretary may enter into amendments to the Parkway Financing MOA to allow for deficiency payments allocated to fiscal years 2013 to 2018 to be deferred until the beginning of fiscal year 2019. The secretary may extend this deferral to additional fiscal years if the secretary determines that this deferral is fiscally responsible and serves the public interest.

(c) Additional financing by the commonwealth of

“Parkway-Phase 2” and the “East Side Connectivity Improvements” shall be subject to the commonwealth’s capital plan and its statutory debt limit.

Section 35. The authority shall not offer new bonds, including the refunding or refinancing of any outstanding indebtedness, after December 31, 2035 without first obtaining a two-thirds majority vote from the town council of the town of Weymouth, and the select boards of the towns of Abington and Rockland.

Section 36. The authority and SSTDC shall be considered a state authority for the purposes of section 29K of chapter 29 of the General Laws and shall be considered a state entity for the purposes of section 97 of chapter 6 of the General Laws.

Approved August 20, 2014.