

Commonwealth of Massachusetts
ACTS OF 1998, CHAPTER 194

SECTION 419. There is hereby established the South Shore Recycling Cooperative, a public body politic and corporate, hereinafter referred to as the cooperative. The towns of Abington, Cohasset, Duxbury, Hanover, Hingham, Hull, Kingston, Marshfield, Norwell, Pembroke, Rockland, Scituate, and Weymouth are authorized to enter into an agreement to join said cooperative.

Said cooperative shall be for the purposes of and in accordance with an agreement entitled "Intermunicipal Agreement for Cooperative Recycling on the South Shore," hereinafter referred to as the agreement, which is on file in the office of the town or city clerks of the members.

This section shall take effect in any city or town referred to in the first paragraph of this section upon vote by town meeting or city council, as the case may be, to accept the provisions of this section and the agreement. The cities and towns referred to in the first paragraph of this section which accept the provisions of this section and the agreement shall be the initial members of the board of directors of the cooperative. Any other city or town may join the Cooperative by vote of town meeting or city council, as the case may be, to accept the provisions of the agreement and to accept the provisions of this section, provided however that no such city or town may become a member unless such membership is accepted by majority vote of the board of directors of the cooperative.

The powers and authority of the cooperative shall be vested in a board of directors, which shall be composed of two representatives from each member city or town, appointed for three year terms. One representative from each member city or town shall be appointed by the elected or appointed municipal board or commission which has the authority over solid waste management in said city or town. One representative shall be appointed by the board of selectmen or the city council, as the case may be, of the city or town. Each member city or town shall have one vote in all votes taken by the board of directors.

In addition to the powers enumerated in the agreement, the board of directors of said cooperative shall have the rights and powers: to adopt bylaws for the regulation of its affairs and the conduct of its business; provided however, that said bylaws be consistent with this section, to adopt an official seal and alter the same at its pleasure; to maintain an office at such place or places as it may determine; to sue and be sued and to prosecute and defend actions relating to its properties and affairs; to own and maintain real and personal property; to apply for, accept, and disburse grant funds; to receive, manage, and disburse funds; to conduct regional procurement of supplies and services for members, to prepare, advertise, and award contracts to provide regional solid waste or recycling services for member towns, to change its name, and to hire and fire personnel.

The cooperative shall not have the power of eminent domain, nor the power to levy taxes, to require the payment of any funds by members, except as provided by the agreement. The cooperative shall not incur debt which obligates its assets for periods of more than one fiscal year. The cooperative shall be subject to all local zoning or non-zoning land-use by-laws and regulations. The employees and agents of the cooperative shall be agents and employees of the cooperative and not of the member cities or towns.