

Chap. 608. AN ACT RELATING TO THE CONSTRUCTION AND FINANCING OF WASTEWATER TREATMENT FACILITIES BY THE CITY OF LEOMINSTER.

Be it enacted, etc., as follows:

SECTION 1. In addition to all powers heretofore conferred upon the city of Leominster, hereinafter called the city, by general or special laws, with respect to the construction, operation and maintenance of sewers, sewerage systems and sewage treatment and disposal facilities, and the financing thereof, said city is authorized to construct, reconstruct, maintain, operate, enlarge and improve wastewater treatment facilities. For the purposes of this act, the words "wastewater treatment facilities" shall mean facilities which can be used for treating, neutralizing or stabilizing sewage, sanitary wastes, industrial wastes and storm water either separately or together, may include sewers for carrying wastewater or treated wastewater to or from the treatment facilities, and shall be deemed to be "abatement facilities" as defined in section thirty of chapter twenty-one of the General Laws.

SECTION 2. The city, acting by its mayor with the approval of the city council, may contract with any party who is or may be a substantial user of wastewater treatment facilities constructed or to be constructed by the city. Contracts entered into under this section may be for a term not exceeding fifty years, may provide for payments by such user to the city and set forth the method for securing such payments. Any such contract may also provide for cooperation between the city and the user with respect to the planning, construction, reconstruction, maintenance and operation of the wastewater treatment facilities. Provisions of contracts securing payments to the city thereunder may include mortgages of real property or pledges of, or the creation of security interests in, personal property, either directly between the user and the city, or with the aid of one or more other persons acting as trustees or agents for either party. To the extent necessary, such users are hereby authorized to enter into such contracts with the city and take such actions from time to time as may be necessary to carry out their obligations thereunder.

SECTION 3. For the purpose of financing the construction of wastewater treatment facilities pursuant to section one, the city may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, four million dollars, and may issue bonds or notes therefor which shall bear on their face the words, City of Leominster, Wastewater Treatment Facilities Loan, Act of 1969. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than thirty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of any limitation or requirement contained in section seven or eight thereof, and also except that, notwithstanding the provisions of section seventeen of said chapter forty-four, temporary notes issued in anticipation of the money to be derived from the sale of bonds or notes authorized under this act may mature not more than two years from their dates.

SECTION 4. This act shall take effect upon its acceptance by the city of Leominster.

Approved August 4, 1969.