

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 174

H. P. 148

House of Representatives, January 8, 1981

Referred to the Committee on Public Utilities. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Studley of Berwick.

Cosponsor: Mr. Hichens of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Revise the Charter of the South Berwick Water District.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. P&SL 1959, c. 61, § 1, first sentence, is amended to read:

That part of the ~~Town~~ Towns of South Berwick and Berwick within the area hereinafter described, and the inhabitants of the ~~Town~~ Towns of South Berwick and Berwick within that area, are created a body politic and corporate under the name of "South Berwick Water District" for the purposes of supplying inhabitants and others in the district and the Town of South Berwick with pure water for domestic, sanitary, commercial, industrial, agricultural and municipal purposes. All incidental rights, powers and privileges, necessary to the accomplishment of the main objects herein set forth, are granted to the ~~said~~ South Berwick Water District.

Sec. 2. P&SL 1959, c. 61, § 1, 2nd ¶, is amended to read:

The area within ~~said~~ ~~Town~~ the Towns of South Berwick and Berwick comprising the ~~said~~ district is bounded and described as follows:

Sec. 3. P&SL 1959, c. 61, § 1, is amended by adding after the 3rd paragraph 2 new paragraphs to read:

“Beginning at the Great Works Bridge on Brattle Street in South Berwick; thence running in a general northeasterly and northerly direction by and along the Great Works River to the intersection of the Great Works River and the Agamenticus Road, so-called; thence turning and running by and along the Agamenticus Road in a general westerly and southerly direction to the marker which is 3,775 feet easterly from the junction of Portland Street and Agamenticus Road; thence turning and running in a southerly direction along the existing territory of the South Berwick Water District a distance of 8,000 feet to the Great Works Bridge and the place of beginning.”

“Beginning at the junction of Portland Street, called Route 4, and the Berwick-South Berwick town line; thence in a due northerly direction a distance of 3,500 feet; thence in a due westerly direction a distance of 2,800 feet; thence in a due southerly direction a distance of 4,000 feet, more or less, to the Berwick-South Berwick town line; thence in a northeasterly direction along the Berwick-South Berwick town line a distance of 1,900 feet, more or less; thence in a southeasterly direction along the Berwick-South Berwick town line a distance of 1,950 feet, more or less, to the point of beginning.”

Sec. 4. P&SL 1959, c. 61, § 2, first ¶, as amended by P&SL 1961, c. 35, § 1, is further amended to read:

The ~~said~~ district for the purposes of its incorporation is authorized to take, hold, divert, use and distribute water from any river, lake, pond, stream, brook, spring, well or other source, natural or artificial, in ~~said~~ the Town of South Berwick or in that part of the Town of Berwick ~~which is bounded and described as follows set out in section 1:~~

Sec. 5. P&SL 1959, c. 61, § 2, 2nd ¶, as enacted by P&SL 1961, c. 35, § 1, is repealed.

Sec. 6. P&SL 1959, c. 61, § 6, 4th ¶, last sentence, is amended to read:

The trustees as such, shall receive as compensation for their services an amount to be determined by them ~~not to exceed \$100 each per year; but~~ and the treasurer may be allowed such compensation as the trustees shall determine.

Sec. 7. P&SL 1959, c. 61, § 11, first ¶, as amended by P&SL 1961, c. 35, § 2, is further amended to read:

‘For accomplishing the purposes of this ~~aet~~ Act, and for such other expenses as may be necessary for the carrying out of said purposes, said district, through its trustees, without district vote, is authorized to borrow money temporarily and to issue therefor its negotiable notes; and for the purpose of renewing and refunding the indebtedness so created, of paying any necessary expenses and liabilities incurred under this ~~aet~~ Act, including organizational and other necessary expenses and liabilities whether incurred by the district or the Town of South Berwick, the district being authorized to reimburse said Town of South Berwick for any such expense incurred by it and in acquiring properties, paying damages, laying pipes, mains, aqueducts and conduits, constructing, maintaining and

operating a water plant or system and making renewals, additions, extensions and improvements to the same and to cover interest payments during the period of construction, said district, through its trustees, without district vote, is also authorized to issue, from time to time, bonds, notes or other evidences of indebtedness of the district in one series, or in separate series, in such amount or amounts, bearing interest at such rate or rates, and having such terms and provisions as the trustees shall determine; ~~provided the total indebtedness of the said district shall not exceed the sum of \$400,000.~~

STATEMENT OF FACT

The purposes of this bill are:

1. To consolidate the descriptions of the territory within the district;
2. To remove the present debt limit of \$400,000 and to have no debt limit; and
3. To remove the current compensation level of \$100 per year for the trustees and enable the trustees themselves to vote on their individual compensation.