



TOWN OF WEBSTER

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This is to certify that the following article was acted on at the Annual Town Meeting held on May 13, 2019. The meeting started at 6:10 p.m. and there was a quorum present...

ARTICLE 18. AMEND WATER & SEWER COMMISSION BYLAW

To see if the Town will vote to amend Part I, Appointments by Board of Selectmen or Moderator, Article 14-2 by deleting the text shown with a ~~striketrough~~, and inserting the text shown in *italics* as follows, or take any action relative thereto:

A motion was made to dispense with the reading of the article. The motion received a YES voice vote and the Moderator moved on to discussion of the article.

14.2 Water and Sewer ~~Advisory Board~~ *Commission*

~~The Board of Selectmen shall appoint a committee consisting of six members, known as the Water and Sewer Advisory Board, pursuant to Section 5-5 of the Charter. The Board shall also oversee studies, initiatives and compliance requirements related to stormwater management.~~

1. Composition; appointment.

A Board of Water and Sewer Commissioners consisting of five members shall be appointed by the Board of Selectmen for three-year overlapping terms, as outlined in the Town Charter. See 5-4(a). The Town Administrator, Water Superintendent, and Sewer Superintendent shall be non-voting members. Members shall have relevant technical, legal or business knowledge that they might apply to the operation and conduct of the water and wastewater utilities. The Commission shall implement, on a consistent basis, sound technical, legal and business practices in the Water and Sewer Departments.

2. Vacancies.

Whenever a vacancy shall occur in said Water and Sewer Commission, it shall be filled in the same manner as provided for the regular appointment of members, except that the member

so appointed shall be appointed to serve for the unexpired term only.

3. Meetings.

The Water and Sewer Commission shall meet as frequently and at such times and places as it may deem necessary for the proper exercise of its powers and discharge of its duties.

4. Organization.

The Water and Sewer Commission shall elect one of its members to be Chair and one of its members to be Secretary and one member to be Vice Chair, each for a term of one year.

5. Quorum.

A majority of the voting members of the Water and Sewer Commission shall constitute a quorum, and a quorum shall be necessary for the transaction of any acts by the Water and Sewer Commission.

6. Powers and duties.

- a. The Board of Water and Sewer Commissioners shall have all the powers, responsibilities and authority granted by M.G.L. Chapters 40 and 41 and relevant regulations contained in the Code of Massachusetts Regulations to Board of Selectmen acting as Water or Sewer Commissioners, or to elected Board of Water or Sewer Commissioners. The Board of Water and Sewer Commissioners shall have charge and control of all Webster municipal water and sewer systems subject to the lawful bylaws and requirements approved by affirmative vote of the Town Meeting.
- b. The Commissioners shall have the responsibility to study, investigate and implement, as necessary, any major capital improvements to the Town's water and wastewater infrastructure, including, but not limited to, treatment facilities, water distribution systems and wastewater collection systems. It shall oversee and facilitate the construction of such improvements and additions and shall enforce any and all requirements imposed upon the Town's water and wastewater systems by the United States or the Commonwealth of Massachusetts or any agency or instrumentality thereof.

- c. The Commissioners shall propose articles for approval at Town Meeting related to capital improvement projects or expenses that require use of Water or Sewer Retained Earnings. The Commission will coordinate with the Town Administrator and Town Accountant regarding the issuance of bonds.
- d. The Commissioners shall negotiate and execute all agreements and contracts with vendors, users of the water and wastewater facilities and for the sale of the goods and services or products that may be supplied by these departments. Such contracts may include but are not limited to: service agreements, inter-municipal agreements, and sale of water or wastewater products and services to commercial and industrial users outside the Town of Webster.
- e. The Commissioners shall promulgate reasonable policies, rules and regulations for the use of the services of the water and wastewater systems and for the efficient management of the Commission and the water and wastewater systems that may be necessary to protect the Town's water and wastewater infrastructure, including, but not limited to, treatment facilities, water distribution systems and wastewater collection systems. Such rules and regulations shall include any rules and regulations as may be required by the United States, the Commonwealth of Massachusetts or any agency or instrumentality thereof.
- f. The Commissioners shall grant abatements on a quarterly basis as well as set annual water and sewer rates after a public hearing for which at least two weeks' notice is provided by posting on the Town website.
- g. The Commissioners shall review and recommend an annual budget to the Town and shall review revenue and expenditures of each department on a routine basis.
- h. The Commissioners shall review and make recommendations to the Town regarding staffing and levels of compensation to promote efficient and exceptional operation of the water and sewer departments.
- i. The Commissioners shall have, and may, exercise all of the authority, powers and privileges set forth in or any other applicable chapter or section of the Code or the statutes or

regulations of the Commonwealth of Massachusetts applicable to water, water service or sewer or wastewater.

Decision: A motion was made to approve the article as presented. The vote was YES 100 and NO 16 and the article was approved as presented.