

BOARD OF WATER AND SEWER COMMISSIONERS

There shall be a Board of Water and Sewer Commissioners whose duty it shall be to maintain, construct, reconstruct, administer and expand the water and sewer systems of the Town; to manage, acquire, and control lands designated town watershed or reservoir lands; and to levy and direct the collection of charges for services. All collections will be deposited with the Town Treasurer. The Commission will maintain separate sewer and water accounts funded by the fees of their respective services and insofar as is practicable the expenses of each service shall be met by the account for that service; joint expenses will be paid for jointly. The Commission will have all authority granted to water commissions and Sewer Commissions by the statutes of the Commonwealth. There shall be five Commissioners, each elected for a term of three years, two terms first expiring with the Annual Town Meeting 1989, two terms first expiring with the Annual Town Meeting 1990, and one term first expiring with the Annual Town Meeting 1991. The Commissioners shall appoint a Superintendent who shall oversee the operations of the water and sewer systems and all construction projects. The Superintendent shall receive compensation established by the Commission; not to exceed the sum appropriated by vote of a Town Meeting on a warrant article, which separately discloses such amount. Provided, however, that if the Commission appoint one of their number to be Superintendent, the Board of Selectmen shall fix the amount of compensation, subject to the same appropriation. Transition Provision: This by-law will take effect January 1, 1989. All elected members of the Sewer Commission and of the Water commission will be members of the Sewer and Water Commission. The meeting notes that as of the consideration of this article there are four persons occupying five seats and one vacancy between the two boards.

The Williamsburg Water and Sewer Commission is hereby authorized to promulgate regulations relative to the use of water in the Town's water distribution system and the use of the Town's sewer system. Violation of any regulations promulgated under the authority of this bylaw may be enforced through any lawful means in law or equity by the Water and Sewer Commission, or its designees, including but not limited to enforcement by non-criminal disposition in accordance with MGL Chapter 40, section 21D. Each day a violation exists shall constitute a separate violation. The regulations authorized by this section shall establish specific penalties for violation thereof in amounts not to exceed \$300 per violation; or to act in any other manner in relation thereto.

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

SECTION 1.

It is hereby declared essential that the Town of Williamsburg for the benefit of the people of the town, shall continue to maintain a means to improve its water and sewer services operated in a modern, efficient, financially self-sustaining, and environmentally sound manner; that just, equitable and sufficient fees, rates and charges for water and sewer service within the Town be established and all consumers, public and private, taxpayer and tax exempt, pay their fair share of the costs of such services; all to the public benefit and good, as and to the extent and in the manner provided herein.

SECTION 2.

Words used in this act shall have the following meanings, unless a different meaning is clearly apparent from the language or context:

1. Sewer works system shall mean the existing sewer works system in the possession of and under the jurisdiction, ownership, control and regulation of the Town and its

Sewer Commission, and all facilities, betterment's, extensions, improvements, enlargements thereto hereafter constructed or acquired.

2. Water works system shall mean the existing water supply and distribution system in the possession of and under the jurisdiction, ownership, control, and regulation of the town and its' Water Commission, and all facilities, betterment's, extension, improvements, and enlargements thereto hereafter constructed or acquired.

SECTION 3.

Except as otherwise provided in this act, the powers of the Commission shall be exercised by a Board consisting of five members who shall be the incumbent Water commissioners and Sewer Commissioners until the next annual election and until their successors as provided herein, are duly qualified to serve. Such persons shall be elected by ballot at the Annual Town election next after acceptance of this act, with two Commissioners to be elected for a term of three years, two Commissioners to be elected for a term of two years, and one commissioner to be elected for a term of one year. Upon the expiration of the initial terms, each of the said Commissioners shall be thereafter elected for three-year terms.

SECTION 4.

All existing acts pertaining to the Water Department including Chapter three hundred and forty-nine of the acts of nineteen hundred and one not in conflict with this act shall remain in effect. The Commission shall operate on the same fiscal year as the Town of Williamsburg and be subject to what sums of money the Town may vote, for such purposes as the town may vote, at an Annual or Special Town Meeting, to raise and appropriate or transfer from available funds to pay interest and principle on maturing debts; for charges, expenses, outlays; for a water stabilization fund and a sewer stabilization fund for future improvements and the stabilization funds shall be allowed to retain interest.

SECTION 5.

The Commission shall assume all the rights, duties and obligations of the Town of Williamsburg Sewer Commission and the Town of Williamsburg Water Commission. It shall assume the care, custody, and control of all property, personal or real, which as of that date resides in the care, custody, and control of the aforesaid Sewer and Water Commissions. The Water and Sewer Commission shall be allowed to set, commit and abate rates and charges for water and sewer. At any Town Meeting, the Water and Sewer Commission may cause by vote of the Town Meeting to be established stabilization funds for future improvements to each system to an amount to meet future needs of either system under the provisions of sections seven and eight of chapter forty four of the General Laws, and the Town Treasurer, with the approval of the Board of Selectmen, shall invest and reinvest said stabilization funds pursuant to the provisions of section one of chapter three hundred and sixty-eight of the acts of nineteen hundred and eighty-nine. The accounting officer of the town shall establish a water surplus revenue fund and a sewer surplus revenue fund for future operation and improvements to the water and sewer systems. Said Water and Sewer Commission shall not be subject to the provisions of section twenty-one C of chapter fifty-nine of the General Laws.

SECTION 6.

The Commission shall have all the rights and powers, which presently exist and reside in the Williamsburg Sewer and Water Commissions under the General Laws.

SECTION 7.

Upon the effective date of this act, except as otherwise provided herein, any provisions of any special laws and parts of special laws, and all bylaws and parts of bylaws pertaining to the sewer and water works system, which are inconsistent with the provisions of this act, shall be inoperative and cease to be effective.

SECTION 8.

This act, being necessary for the welfare any living conditions of the Town and its inhabitants, shall be liberally construed to effect the purposes hereof.

SECTION 9.

This act shall take effect upon its passage.