

BOARD OF WATER COMMISSIONERS
REGULAR MEETING OF APRIL 25, 2022

REGULAR MEETING: The regular meeting of the Board of Water Commissioners was held at the 438 Granby Road on Monday, April 25, 2022. Chairman William L. Schenker called the meeting to order at 5:02 p.m. This meeting was recorded.

ATTENDANCE:

Chairman	William L. Schenker
Clerk	Brian S. McClafin
Associate Member	R. Scott Williams (remote)
Superintendent	Jeffrey A. Cyr
Office Manager	Jennifer Fernandes
Billing Clerk	Kari Scytkowski
Maintenance Worker	Sam Bernash
Water Legal Counsel	Mark Beauregard
Prudential Chair	John Wojciechowski
Clerk/Treasurer	Terie Fleury
Resident	Jon Fernandes
Resident	Pauline McClafin
Resident	Mitch Malinowski
Resident	Mary Lou
Resident	Ania Cyr
Resident	Julie Gentile
Resident	Al Zuffoletti
3 Gentlemen Residents	

APPROVAL OF MINUTES: Brian S. McClafin made a motion to approve the minutes of March 10th and April 13, 2022. This motion was seconded by R. Scott Williams. All in favor.

ROLL CALL

Williams – Aye
McClafin – Aye
Schenker – Aye

DISCUSSION ON PROPOSED
REVISION TO WATER COMMISSIONERS
ROLE IN DISTRICT BY-LAWS
W/ATTORNEY

MARK BEAUREGARD: William Schenker opened up the meeting stating that the meeting was being recorded and Attorney Mark Beauregard did some fine tuning of the language in the already revised By-Laws for the Water Department and Board to update and more clearly define the roles. Two years ago, the By-Law Committee spent the better part of a year putting together a whole new updated set of By-laws for the District and they were voted down at Annual Meeting. Jeff presented to all documents with our current by-laws and the Water Department portion of the new crafted by-laws done by the By-law Committee that Bruce Perron, Mark Beauregard, Bill Schenker was a part of. (See Note 1) Schenker stated there has been tension between Boards that we want to avoid in the future and there needs to be a more defined responsibilities for Water Department and Water Board. Schenker stated he thinks if the current By-laws were taken to court, they would be ambiguous at best and that we would need to go to an Annual Meeting with

clarification. Williams stated he thinks the entire By-Laws should be presented to the public for a vote rather than take the Water Department portion to the public. Schenker wants to make sure the duties are clearly defined to the Prudential Board as to the roles and duties of the Water Department and Water Board. Resident Mitch Malinowski asked how many people voted yes and how many voted no at the past Annual Meeting. Terie Fleury said she is not sure and thinks that the votes need to pass by at least one. Atty Beauregard said the vote has to pass by a two-thirds vote. John W. asked what the main goal is for the change and to achieve what? Brian McClafin said that the Water Board needs to update the by laws as the Prudential Board is taking over some of the things, they normally do that have never been taken over before, the duties and responsibilities need to be more clearly defined. Brian M. said the original Committee was made up of 9 people to put these together and worked hard to compile them. The Fire Department had to do the same thing years ago to revise their by-laws. Schenker said the goal is to clearly define responsibilities of the Water Board and Water Department. Brian M. said he agrees that the roles need to be defined to say who is in charge of what. The Current the bylaws don't have enough clarity. Brian M said as it stands now the Prudential Committee is taking over things and the Water Board has not been heard or had a say whatsoever and the changes better clarifies the roles. Schenker said that he thinks that both Boards want to work together and the Water Board need to have their roles better defined. John W. asked if the by-laws in front of him are the same as the ones that were done by the Committee. Atty Beauregard said they are with the exception of a few words at the end, but doesn't change the merits of what it says. John W. said these original by laws must have been in place for time and were originally drafted when the district was formed to go around mass general laws and use mass general law as a guide as to how the structure for the Prudential Board & Water Boards were originally supposed to operate. John W continued by saying the way it was operating now is a moot right now. John W. said how it is supposed to run by the rules or how it is governed is being put aside and seems to him that there is conflict that they are overstepping their boundaries and what he is reading says that this is our domain and this is what water commissioners were supposed to originally be structured to take care of and at some point, they may have gained more access to authority and now this authority is being challenged. He is wondering if this whole thing is being brought up because of a power struggle, if it was good for so long and it was originally structured to run this way, then why all of a sudden is it wrong, because we are doing thing properly now. Resident Pauline McClafin has a few points, as she understands it is the Mass General Laws that gave the districts the ability to create their own by-laws. Second this document given to all is the same as the document that the by-law committee worked on, the residents aren't asking for changes, they are simply asking to bring it back to have a second vote. Third, as a resident she reads the new proposed by-laws as a clarification, a detail and clarity of duties and it makes sense to her. As a resident it makes sense to that the Water Department is taking care of things. John W. said as Chair he has to listen to every opinion that's out there and certain people have certain vested interest a certain way with all these differences of opinion. Pauline said you included? John W. said as the Chair of Prudential they oversee the whole District and are in charge of the Water Board, they work together as one district and there is a wedge trying to be placed between the two halves. John W. said if things are trying to be put in place for the

wrong reasons, then it is up to him to make sure he has facts from every angle and not have opinions get in the way to make decisions for the entire District. John W. said the group that turned out today are connected somehow to this subject and the opinions here vs the opinions for the rest of the district, he has to consider everything. Pauline said right now the water department is trying to get clarity so they can operate effectively for the residents. Schenker said he *is* challenging the authority of the Prudential Committee, it is as simple as that, they shouldn't have the final say over the Water Department. Schenker said he wants to remove all doubt and have each Board responsible for each Department; Prudential oversee Fire and Water Board oversee the Water Dept. He wants it to be clear and have the public vote if this is what they want. Beauregard said it was the Prudential Board that originally formed the By-Law committee, for the whole district, not just the Water Dept. the committee originally compiled of a large group of people: residents, Prudential, Water, Fire, all areas were represented. Jeff Cyr said in his 26 years with the district he has never seen a divide like this and the Prudential has never gotten involved in the day to operations of the Water Department. Resident Mary Lou asked where does it say in the By-Laws that the Prudential Committee oversees the entire District. Scott asked if a joint meeting could be talked about between both Chairmen. John W read from the by-laws Section 12 "h. Chairman. The Chairman shall preside at all meetings and shall have *general* oversight of the entire District." Mary Lou asked over meetings of what? John W said the meetings of the Prudential Boards meetings or these meetings. John W. said on the water side it says Chairman shall preside at all meetings and shall have general oversight of the entire water system, water system. Several residents spoke up and said "only over the Prudential meetings not water meetings". John W. said this is where people are getting upset by the water system. Atty Beauregard said things have been running fine for 100 years. John W. said things have gotten a lot more political and a decision and opinion was ok when Prudential was making a decision over something when it needed to go a certain way but now that certain players are involved it shouldn't be looked upon the same way. Atty Beauregard said the 2 matters are so different the issue of health insurance was a global issue and the Prudential Board made a decision on that. Atty Beauregard said if you look at precedence, the Prudential has had oversight over insurance for over 70 years and the day-to-day operations of the Water Dept. have always been run by the Board, Superintendent and Water Dept. The Water Dept. has had their own cell phones for as long as cell phones have been out. Cyr responded over 20 years. Atty Beauregard said how long has the Water Dept. had control of cell phones since the beginning of cell phones, 20 years. John W. said they are making a decision for a financial decision. Resident Julie Gentile said back on the minutes of September 29, 2021 for the Prudential Committee there was a discussion about the T-Mobile and then again on November 30, 2021 it said that it didn't work well for the Water Department. Julie G. said we heard at the last meeting for the Water Dept. a letter from the Water Dept. to the Prudential Board saying that T-Mobile had dead spots at all the pertinent places that the Water Dept. needs to have cell phones; pumping stations, water towers etc. and yet it still went through. Resident Julie G said unfortunately most of the Prudential Board meeting minutes from the fall are missing off the website, but this has been an ongoing conversation for the last 6 months or so. Julie G said not anywhere does the Water Dept. accept T-Mobile in fact they had really said it was going to impact the services as a

resident. Julie G said finding out recently I have no services after hours or on call should an emergency arise because someone turned the phone system off and didn't think about the residents and what we would do in that situation. Schenker understands what Julie is saying and he knows that John John W. is trying to look out for the district. Schenker said that when tests were run one member of Prudential was not happy with our tests and he was going to conduct his own test. Jeff C said we need to stay focused on the by-laws right now on the agenda item, and we can talk about the cell phones under other business. Jeff C said to John W. he is looking at the by-laws and asked how many times have the by-laws been amended on the front page. Williams said that the by-laws have to be approved by the Attorney General's office and Cyr said no they do not, Districts do not have to have them approved by the Attorney General only towns do. Cyr pointed out that the number of times the by-laws have been amended it was only a certain section it was not an entire revision of the by-laws and what the Water Board is trying to do is to amend a section which is totally acceptable. Cyr said they are up against a time constraint to get the amended portion of the Water Board to the Clerk/Treasurer by the 27th. Atty Beauregard said changing the by-laws will satisfy some but not others. Williams said he thinks the entire by-laws should be presented to the public, the committee spend a lot of time working on this and thinks the public would vote for it, he would. Brian McClafin made a motion to present to the Annual Meeting the revised section 14 by-laws for the Board of Water Commissioners as presented. This motion was seconded by William Schenker. All in favor
Schenker – Aye
McClafin – Aye
Williams – Nay
Jeff C suggested having Atty Beauregard write the article and get over to the Clerk/Treasurer.

PROPOSAL FROM MD7
REGARDING AT& T LEASE
ON ALVORD ST.
WATER TANK:

Jeff Cyr presented the Board and he sent to Atty Mark Beauregard the revised lease done by MD7 for AT&T for the Alvord Street water tank. (See Note 1) Jeff said back in 2017 the Water Board accepted \$2200/month vs \$2600/month, and they are looking to reduce the \$2200 by \$500. MD7 is a company that negotiates leases for AT&T and the Alvord St. tank is very favorable as it is in close proximity to Rt 5 and Interstate 91. Jeff recommends the Board review first before voting. Schenker said he would like to table it for now as one of the proposals they have is entering into a 99-year lease for a one payment of \$250,000. Schenker said they have to have time to discuss further to do what is in the best interest of the people. Williams asked Atty Beauregard what would happen if all of a sudden, the water towers were not there with a 99-year lease and the liability. Atty Beauregard said that is why you always decline a 99-year lease because there is no guarantee the water towers will be there and it could cost the district a fortune.

T-MOBILE ISSUE:

Brian McClafin is wondering where the Water Dept. stands with the cell phones as they still don't have Verizon and the Water Dept. does not have cell phones and they were denied access to the phone numbers. McClafin stated the Board voted again to stay with Verizon. McClafin said he worked with Jeff Cyr to gain access and the Clerk/Treasurer has access and has been asked several times give back to the Water Dept., the Board has written a letter and presented it to her and Prudential and she was going to give us access and then it never happened. The phone numbers have been ported over to T-Mobile and we are no longer able to retrieve them. Cyr said that our new government Verizon rep is Joe Solomon and per the Boards direction he contacted him last Friday and Joe contacted the Clerk/Treasurer, Terie to gain access to the phone numbers. Joe Solomon understands the level of urgency of the matter and said the department could get new numbers if needed, but if he could get a release from Terie the Water Dept. could have their numbers and phones back as early as that Friday afternoon. That access was denied by the Clerk/ Treasurer Terie Fleury. Schenker asked Terie what she had to say on the matter. Terie responded that she has the new T-Mobile phones in the car right now, she could bring them in if we would like them. Williams said there is no urgency and the Dept. could switch carriers and then if it doesn't work out then they could switch back to Verizon. John W. said water has never given T-Mobile a chance to see if they could correct the issues the Water Dept. has. Cyr said it's a mood point as the Water Board has voted twice to stay with Verizon and why doesn't John W. understand that. McClafin said it was voted twice to stay Verizon and this is why we need the by-law changes. McClafin said you are tying the Board of Water Commissions hands to operate the effectiveness of this department by holding the phones hostage. McClafin said John W. is talking about working together and it's a group effort, but it wasn't a group effort with T-Mobile, Scott may have gone to Prudential meetings but nothing was presented to the Water Board until it was too late. McClafin stated that the Chair and he voted to stay with Verizon and yet Williams still pushed T-Mobile with the Prudential Committee and went against the rest of the Board members. Brian McClafin is wondering if there can be an investigation into this because all this stuff has gone down against the wishes of the Board of Water Commissioners. McClafin said he was on the phone with the Verizon rep with Cyr and was told that he or Superintendent cannot get the numbers back as the Clerk/Treasurer has total control over the account that runs the whole operation of the Water Dept. McClafin stated there is something wrong with this picture that we had the account for over 20 years and now we don't have control. McClafin said if we have to change our phone numbers to get things up and running then let's do it. The Water Department saves the residents lots of money all year long by doing their own water mains, so if they feel as though Verizon is who they want for a cell phone carrier then okay. McClafin want an investigation, he gets it is petty but the department is *still* without phones. Williams said there should be 2 investigations one for the cell phones and another for Jeff Cyr claiming he was harassed by a Prudential Board Member at the last meeting. Resident Mitch Malinowski asked if he is hearing things correctly, that if the Water accepts the T-Mobile phones now then the Treasurer will turn the phone numbers over to them? Treasurer Fleury responded that it is not her decision to do any of this she is following the wishes of the Prudential Board. Resident Malinowski said that it is Prudential's wishes, not what the Water Board decided, why don't you turn over

the numbers to the Water Dept. so they can conduct their business. Resident Jon Fernandes said they are holding 3 phones that's it. Resident Malinowski said if there is an emergency in town then who do they sue? Treasurer Fleury said they have the ability to have a phone service they are denying that ability by not putting the sim cards of T-Mobile in. A gentlemen Resident spoke up and said the water department has to run the water department as he understands the T-Mobile phones do not reach all the areas that they have responsibilities for, if they have a problem, they cannot reach and cannot do their job, give the water department their phones. Atty Beauregard said to John W. that he cannot say that the water departments phone system for security emergencies is not part of running the water system, it is all connected it has been for 20 years, to now say that isn't one of the functions of the water dept. is wrong. John W. responded that they changed carriers for financial and we are supplying them with equipment and they are not giving T-Mobile a chance to provide them with the services they need, I have a Verizon myself and it drops in certain areas so the phone is subject to problems. John W. said if T-Mobile if did not solve the problems they have they can go back to a Verizon carrier. A Resident said but they didn't vote for it. John W. said they changed the carrier and they provided the phones with the carrier to the water dept to use, that's the equipment that's supplied by the district for them to operate for they need to use for safety, if they are refusing to give it a try and see if it can be utilized properly and if not. A resident said that is wrong. Resident Al Zuffoletti said he has gone to some of these meetings the object the water department has was well known before you went ahead and did this and yet you did it anyway. Al said these people need to do their jobs, why don't you give them their phones and let them do their work. John W. said there was plenty of time to have their discussions and meet with us, there were meeting that wouldn't happen because people had to have them in certain places and certain people weren't going to attend the meetings, we in good faith tried to get together with all 6 of us. John W. said he is not going to drag names up and start mudding everything up he is elected to make choices for the district and believes he is doing so with a clear conscious that he is making proper decisions and he is speaking for the other 2 members of his Board. Schenker said it began some time ago with Scott Williams asking permission to attend a Prudential meeting to discuss phone service and Schenker said it was ok as long as it was informational. Schenker stated as things went on Prudential committee was given a deadline and he knew nothing about any meeting they could have gone to them and some people didn't approve the site, that is new to him right now. Schenker said a decision was made by the Water Board and the Prudential could care less, so why do you even need a water board get rid of us. Atty Beauregard said it is a question of how you interpret the by-laws, he thinks it is clear, will it ever change John W or Bruce Perrons mind, who knows. Atty Beauregard said the question is, is their emergency phone system part of running the water system; yes! It is no different than buying a truck or buying snow shovels or wire or pipes it doesn't matter. McClafin said in the same aspect the water board is charged with a budgetary item and asked Chair John W how much the water department would save with the new phone system? What are the savings to the district John W? Jon Fernandes said in the beginning it was about \$10 a line for T-Mobile with 3 or 4 lines for the water department, it wasn't worth it and, in the end, you spent more money in fees to T-Mobile it is going to be hard to make up that \$10, supposedly doing what is best for the

district wasn't what was best for the district you lost money. Jon F said what is best for district is to work together and he thinks there is a bigger issue here he thinks the Prudential committee is trying to gain the funds of the water department. Jon F. said you need to make a stand at this point. Julie Gentile stated on August 19, 2021 at a Board of Water Commissioners meeting John W. felt that Terie was denied access to account and he felt as though she would be the CFO of the District if this were a private sector and John W. instructed Terie Fleury to change that Verizon account and become the administrator, so why can't that be undone and things reversed back to Verizon as John W. was the key player. John W. responded that he makes decisions with his counter parts. William Schenker is asking the Treasurer Terie Fleury to change her decision and release the water departments phone numbers. Atty Beauregard would like to make a suggestion, he said it's like if there were a building in town the dispute is whether or not it should be demolished, you don't demolish it and then have a court case over it. Atty Beauregard stated that we may be butting heads someday in court over this issue but in the meantime let's keep the district safe so let's have the system back in place until there is a more formal resolution in place so that no one gets hurts. Schenker asked the Chair John W. to bring this solution Atty Beauregard suggests back to his committee. Jeff Cyr said as option 2 we could get new cell numbers, to establish a new account. Schenker said he would rather work with the Prudential Board to get things resolved. Atty Beauregard stated but then could it be closed by the CFO Terie Fleury. Julie Gentile stated that this account was originally open by you Jeff Cyr with Jennifer Fernandes, so Jeff's information and data is behind that account, so when it was taken over by another individual is Jeff's data still a part of that account. Jeff Cyr responded that yes and he still has the signed document for that original contract. Julie G. said it seems that document would be the binding contract with Jeff Cyr's name on it. McClaflin said he and Jeff Cyr said they spoke to Verizon and were told they are no longer on that account. A resident Mary Lou said that seems criminal and not on the up and up and should consult a criminal attorney for that. Jon F. asked what happens when someone new is voted to the Clerk/Treasurer and she is the CFO of the account, what happens to the account then. John W. said he would like to get together with just the 6 Board members in an Executive session with their Atty Brendan Hughes and get an opinion letter with the structure and have Atty Beauregard sit it. Schenker said this is driven by personal animosity and it has it stop or get off the bus. Schenker said he would like Atty Beauregard there as well. Jeff Cyr said he doesn't think it warrants an Executive Session. John W. doesn't see how we are going to hammer out these problems if our opinions are so different and you are not even going to consider using T-Mobile but he is willing to get into executive session with Attorneys at the cost to the district. Resident Mary Lou stated to John W. that you'd rather spend the cost of 2 Attorneys then give the phone numbers back to the Water Dept., isn't that childish. John W. said he can flip it to my point of view, they want the Prudential to concede to Verizon but they don't want to try T-Mobile, both sides have validity. Resident Jon F. said that more money has been spent on T-Mobile and he would like to see the numbers that show the savings. John W. said when they talked about this some time ago wanting to get the Treasurer on the account for records of an investigation that was being done and now were getting into an executive session that was held and he doesn't know how much he wants to speak about this, because the original

reason was to get Terie on the account because of the blatant refusal to relinquish things that the Board was asking for. Brian M. asked what Board was asking for info? John W. said it was the Prudential Board. Brian M. said it was regarding a water employee and Mr. Williams unbeknown to the water board. John W. said that anyone in the Clerk/Treasurer position needs access to certain things in a financial account. Brian M. said but it's an elected position. Pauline McClafin asked a basic question that if the water department hired an outside source to do their accounting and pay bills, do you John W. think its right for that accountant to take over the administration of a phone line when those phones go dead or something goes wrong and the person that is in charge of running the operation of the department in which is in this case is Jeff Cyr running the water dept. cannot access it. Do you John W. think that is appropriate or right when you know those phone lines need to be maintained by the department and the department head. John W. said no because that person is not an elected official of the district and isn't bonded. Scott Williams said they have been trying to get both Boards together since back in October, this is why we have the problems we have. Scott W. said this is why there is no communication, everyone is getting angry over nothing. Bill S. asked Scott why was there not communications, who brought it forth, it wasn't the water board. Bill S. said he thinks it was mishandled since the beginning. Bill S. asked Scott who brought up the idea of T-Mobile; was it T-Mobile who reached out to prudential, did the prudential committee ask T-Mobile to come forward or did some individual bring it in front of them. Scott W. stated it was he who brought it to the Prudential Committee. Bill S. said he rests his case. Bill S. said Scott told him it was informational and never involved the Water Board about any of it. John W. said Scott W. had good intention to bring it to the district. Bill S. said that the Prudential committee never included the Water Board in the decision and made the decision for them and that is what sticks in their claw.

LIONS CLUB FISHING
DERBY:

William Schenker said the Lions Club would like to hold their annual fishing derby at the water department reservoir on Saturday May 14, 2022. William Schenker said in the past the Lions Club has gotten an insurance policy for that day. After a brief discussion, Brian McClafin made a motion to allow the Lions Club to hold their annual fishing derby on May 14, 2022 providing they have a one day insurance policy. This motion was seconded by Scott Williams.

ROLL CALL

Schenker – Aye

McClafin – Aye

Williams - Aye

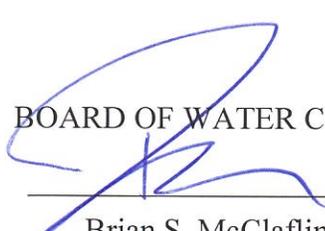
MOTION TO ADJOURN:

Brian S. McClafin made a motion to adjourn, which was seconded by William Schenker. Motion carried

ADJOURNMENT:

Meeting adjourned at 6:28 p.m.

BOARD OF WATER COMMISSIONERS



Brian S. McClafin, Clerk

Current By-laws

- a. SECTION 14. The Board of Water Commissioners shall consist of three members who shall be elected in the manner herein before described. The Board of Water Commissioners shall:
- b. As soon as possible after the annual District meeting the Board of Water Commissioners shall meet for organization and elect by ballot from their members a Chairman an Associate Member and a Clerk.
- c. All bills are to be approved by the Board or a majority of them and warrants are to be issued to the Treasurer of the District for payment of same.
- d. Chairman. The Chairman shall preside at all meetings and shall have general oversight of the entire water system. In the event of the Chairman's absence the Clerk shall preside.
- e. Clerk. The Clerk shall keep a record of all meetings and business transactions in a book provided for that purpose and known as the "Record" book. The Clerk shall send notices of meetings when necessary and shall relinquish to his/her successor all books and records pertaining to the Department at the expiration of his/her term of office.
- f. If a vacancy of one or more members shall occur on the Board of Water Commissioner, the remaining Board Members shall meet jointly with the Prudential Board and elect by BALLOT a person or persons to such office who shall hold said office until the next annual election.
- g. SECTION 15. Superintendent. The Superintendent shall serve at the pleasure of the Commissioners unless they vote to provide the Superintendent with other than at-will status by approving a written employment contract.
- h. SECTION 16. Assistant Superintendent. The Assistant Superintendent shall perform such work as the commissioners and Superintendent designate.

Proposed

SECTION 14: *The Board of Water Commissioners shall consist of three members elected in the manner herein before described. The Board of Water Commissioners shall:*

- A. meet to reorganize the board not later than the fourth week after the Annual Election, and shall then elect from their number, a Chair and Clerk, each of whom shall serve until their successors are chosen. The Chair shall preside over all meetings of the Committee and the Clerk shall be responsible to prepare the minutes of all meetings, post agendas, and maintain records according to Massachusetts General Law. The Clerk shall preside over any meeting where the Chair is absent.*
- B. unless otherwise determined by the Board of Water Commissioners, meet at least once a month, and two members shall constitute a quorum for the transaction of business.*
- C. publish notice of all meetings in accordance with the Massachusetts Open Meeting Law by posting on the Town of South Hadley and the District websites and on any bulletin board designated by the Prudential Committee as an official place of posting.*
- D. have custody and keep the same in good condition at all times the structures, equipment, and related appurtenances of the department.*
- E. approve warrants prepared by the District Clerk/Treasurer's office, signed by the majority of the Board of Water Commissioners, for the payment of bills when due and contracted, at which time the Clerk/Treasurer shall draw from the amounts deposited in its depository Bank, an amount equal to discharge the bills as set out in the warrant.*
- F. If a vacancy of one or more members shall occur on the Board of Water Commissioner, the remaining Board Members shall meet jointly with the Prudential Board and elect by BALLOT a person or persons to such office who shall hold said office until the next annual election.*
- G. be authorized to sign all contracts including those related to real property, except contracts signed by the Prudential Committee, Water Superintendent or designee, which have been approved by a vote of the District at any Annual or Special Meeting, or which do not require specific District Meeting approval.*
- H. appoint the Water Superintendent and other staff as needed in a conscientious, responsible manner.*

- I. in consultation with the Water Superintendent, prepare an annual budget, and recommend salary rates and hourly rates of pay.*
- J. prepare warrant articles for approval by District voters.*
- K. prepare an Annual Report in writing on the Water Department's actions, expenditures, financial status, and improvements to the distribution system.*
- L. have the care, custody, management and control of all the financials (vendors) associated with the operations of the Water Department.*
- M. have the care, custody, management, and control of all the property, real and personal, relating to the Water Department.*
- N. shall have authority to determine and establish from time to time a schedule of water rates and miscellaneous fees, and make rules and regulations for the introduction and use of water.*
- O. enter, from time to time, with the assistance of Water Department staff, upon the premises of any water taker to examine apparatus to ascertain the use to which the water is applied or to find or stop any waste.*
- P. shall in all suitable ways exercise a careful supervision to protect the interests of the Water Department and the public, and shall have all the other powers, duties, and responsibilities which are given to Water Commissioners by MGL Acts of 1872 Chapter 114.*
- Q. determine, assess, and reevaluate from time to time, a basic or "Family Unit" use charge. In addition, assess and reevaluate the "Water Improvement Fee" and each new consumer shall pay this fee before water service is provided. These charges and fees shall reflect reasonable and fair costs of equipment and labor necessary to provide water to consumers within the District.*
- R. assess fines of not less than one hundred dollars (\$100.00) or more than three hundred dollars (\$300.00) for the wasting or taking of water without authority, or for vandalism. Wasting or taking of water includes the drawing off of water in any pipe, conduit, hydrant, or fountain within the water distribution system without permission of the Water Commissioners. No hydrant shall be opened except in the case of fire or by authority of the Water Commissioners or the Fire Chief.*

B. be responsible for proper training of personnel.

C. coordinate with other water departments and agencies, as appropriate.

D. be responsible for planning, directing, and administering the ~~day-to-day~~ activities of the ~~Water Department~~.
SUPERVISORY, ADMINISTRATIVE AND ~~TECHNICAL~~ LOCAL
^

TECHNICAL
OPERATIONS
AND MAINTENANCE
OF THE
WATER DEPARTMENT.

Section 4: The Water Superintendent shall:

- A. be responsible, within the District, for adhering to the laws, rules, and regulations of the Water Department, Fire District, and Commonwealth of Massachusetts relating to delivery of safe drinking water.***
- B. be responsible for proper training of personnel.***
- C. coordinate with other water departments and agencies, as appropriate.***
- D. be responsible for planning, directing, and administering the day-to-day activities of the Water Department.***