

By Mr. Healy of Charlemont, petition of Jonathan L. Healy and John W. Olver (by vote of the town) for legislation to authorize the town of Williamsburg to establish a water and sewer commission. Local Affairs. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety.

AN ACT ESTABLISHING A WATER AND SEWER COMMISSION IN THE TOWN OF WILLIAMSBURG.

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

1 SECTION 1. It is hereby declared essential that the Town of
2 WILLIAMSBURG for the benefit of the people of the Town, shall
3 continue to maintain a means to improve its water and sewer
4 services operated in a modern, efficient, financially self-sustaining,
5 and environmentally sound manner; that just, equitable and
6 sufficient fees, rates and charges for water and sewer
7 service within the Town be established and all consumers, public
8 and private, taxpayer and tax exempt, pay their fair share of the
9 costs of such services; all to the public benefit and good, as and
10 to the extent and in the manner provided herein, this act may be
11 referred to and cited as the WILLIAMSBURG WATER AND
12 SEWER REORGANIZATION ACT OF 1990.

1 SECTION 2. SEWER WORKS SYSTEM: Shall mean the
2 existing sewer works system in the possession of and under the
3 jurisdiction, ownership, control and regulation of the Town and
4 its Sewer Commission, and all facilities, betterments, extension,
5 improvements, enlargements thereto hereafter constructed or
6 acquired.

7 WATER WORKS SYSTEM: Shall mean the existing water
8 supply and distribution system in the possession of and under the
9 jurisdiction, ownership, control, and regulation of the Town and

10 its Water Commission, and all facilities, betterments, extension,
11 improvements, and enlargements thereto hereafter constructed or
12 acquired.

1 SECTION 3. Except as otherwise provided in this act, the
2 powers of the Commission shall be exercised by a board consisting
3 of five members who shall be the incumbent Water Commission-
4 ers and Sewer Commissioners until the next annual election and
5 until their successors as provided herein, are duly qualified to
6 serve. Such persons shall be elected by ballot at the annual town
7 election next after acceptance of this act, with two Commissioners
8 to be elected for a term of three years, two Commissioners to be
9 elected for a term of two years, and one Commissioner to be
10 elected for a term of one year. Upon the expiration of the initial
11 terms, each of the said Commissioners shall be thereafter elected
12 for three year terms.

1 SECTION 4. All existing acts pertaining to the Water
2 Department including Chapter Three Hundred and Forty-nine
3 (349) of the acts of nineteen hundred and one (1901) shall remain
4 in effect. The Commission shall operate on the same fiscal year
5 as the Town of WILLIAMSBURG and be subject to what sums
6 of money the Town may vote, for such purposes as the Town may
7 vote, at either an annual or special town meeting, to raise and
8 appropriate or transfer from available funds to pay interest and
9 principal on maturing debts; for charges, expenses, outlays; for
10 a Water Stabilization Fund and a Sewer Stabilization Fund for
11 future improvements and the Stabilization Funds be allowed to
12 retain interest.

1 SECTION 5. The Commission shall assume all the rights,
2 duties and obligations of the Town of WILLIAMSBURG Sewer
3 Commission and the Town of WILLIAMSBURG Water
4 Commission. It shall assume the care, custody, and control of all
5 property, personal or real, which as of that date resides in the care,
6 custody, and control of the aforesaid Sewer and Water
7 Commissions. The Water/Sewer Commission shall be allowed to
8 set, commit and abate rates and charges for water and sewer. At
9 any town meeting, the Water and Sewer Commission may cause

10 to be established stabilization funds for future improvements to
11 each system to an amount to meet future need of either system
12 under Sections 7 and 8 of Chapter 44 of the General Laws, and
13 the Town Treasurer, with the approval of the Board of Selectmen,
14 invest and reinvest said stabilization funds pursuant to the
15 provisions of Section 1 of Chapter 368 of the acts of 1989. The
16 accounting officer of the Town shall establish a Water Surplus
17 Revenue Fund and a Sewer Surplus Revenue Fund for future
18 operation and improvements to the water and sewer systems. Said
19 Water and Sewer Commission shall not be subject to the
20 provisions of Section Twenty-one C of Chapter Fifty-nine of the
21 General Laws.

1 SECTION 6. The Commission shall have all the rights and
2 powers which presently exist and reside in the WILLIAMSBURG
3 Sewer and Water commissions under the General Laws of the
4 Commonwealth.

1 SECTION 7. Upon the effective date of this act, except as
2 otherwise provided herein, any provisions of any special laws and
3 parts of special laws, and all bylaws and parts of bylaws pertaining
4 to the sewer and water works system, which are inconsistent with
5 the provisions of this act, shall be inoperative and cease to be
6 effective.

1 SECTION 8. This act, being necessary for the welfare and
2 living conditions of the Town and its inhabitants, shall be liberally
3 construed to effect the purposes hereof.

