



**TOWNSEND WATER DEPARTMENT**  
540 Main Street West Townsend, Massachusetts 01474

Michael MacEachern, Chairman  
Paul L. Rafuse,  
Water Superintendent

Niles Busler, Vice-Chairman

Nathan Mattila, Clerk  
(978) 597-2212  
Fax (978) 597-5561

**WATER COMMISSIONERS MEETING MINUTES**

November 16, 2015 - 5:30P.M.

Water Department 540 Main Street, Meeting Room

NOTED  
*[Handwritten signatures]*

**I. PRELIMINARIES:**

- 1.1 MM called the meeting to order @ 5:30 p.m. 540 Main Street.
- 1.2 Roll call showed members present Chairman, Michael MacEachern (MM), Vice Chair, Niles Busler (NB) and Clerk, Nathan Mattilla, (NM). Guest Present Superintendent Paul Rafuse (PR) and James Blanchard.
- 1.3 MM Announced that the meeting is being tape recorded
- 1.4 Chairman's additions or deletions. NONE
- 1.5 Review/ Approve meeting minutes of October 14, 2015. **NM made a motion to accept the minutes of October 14, 2015. NB second. Unanimous vote.**
- 1.6 The Board reviewed the correspondence.

**II. APPOINTMENTS:**

- 2.1

**III. MEETING BUSINESS:**

- 3.1 Discuss request by Board of Selectmen to resolve Water Department Superintendent on call compensation matter. The Board reviewed the letter sent to them by Andy through labor counsel. They suggest that someone other than Paul the schedule the on call.
- 3.2 Approve new credit card policy adopted by the Board of Selectmen on October 27, 2015. **NM made a motion to accept the new credit card policy. NB seconded. Unanimous vote.**
- 3.3 The Board was presented with a draft "Water Restriction By-Law" for review.
- 3.4 Approve refund to acct 61357, 25 Sumac Drive, \$498.61 Late Charge RE: Payment sent to us in Error. Was meant for another vendor. **NM made a motion to approve the refund. MM seconded. NB abstained from the vote for personal reasons.**
- 3.5 The Board of Water Commissioners were notified that the Board of Selectmen voted to close non-continuous operations departments to the public on the day after Thanksgiving, November 27, 2015. Employees can choose to work or can use vacation or personal time.
- 3.6 Approve 1" service to Shelia Donovan, 12 Barker Hill Rd, Appl#2015-11,Acct#61453 \$2,000.00.
- 3.7 Approve 1" service to Loretta Perillo, 26 Barker Hill Road, Appl# 2015-12,Acct#1506  
**NM made a motion to approve 1" services to both 12 and 26 Barker hill Road. NB seconded. Unanimous vote.**
- 3.8 Discuss funds to reimburse the town for unemployment expenses for C. Smart in the sum of \$1,044.00. **NM made a motion to reimburse the town for unemployment expenses for C. Smart totaling \$1,044.00. MM seconded. NB abstained from the vote.**

**IV. COMMISSIONERS UPDATES AND REPORTS.**

- 4.1

**V. WATER SUPERINTENDENTS UPDATES AND REPORTS.**

- 5.1 Cross St. Well testing. Paul reported that he had taken additional samples were sent to a lab in Kanas City and is waiting for those results. Once they have the results the can suggest a method to resolve this issue.
- 5.2 Witches Brook underground power. The TWD has not had time to complete with the hydrant flushing and water installations. It will be completed as soon as possible.
- 5.3 Repairs-Upgrades to Fitchburg Rd. Storage Tank. Paul submitted a request to draft an RFP for several previously discussed upgrades.
- 5.4 Energy efficient car to replace 2007 Ford F-150 Pick Up. Paul reported that they were beginning to start building the car on 11/17/2015. It may be completed by the end of the month.

**VI. OFFICE UPDATES AND REPORTS.**

- 6.1 The Board reviewed and signed Bills Payable Warrants.
- 6.2 The Board reviewed payroll.
- 6.3 The Board reviewed and signed October Schedule of Bills Receivable report
- 6.4 The Board reviewed October 2015 Accounts Receivable report.

**VII. ADJOURNMENT:**

NM made a motion to adjourn the meeting at 7:36 PM. It was a unanimous vote.

*m*

Submitted by Brenda Boudreau

Date 1/11/2016



**TOWNSEND WATER DEPARTMENT**  
540 Main Street West Townsend, Massachusetts 01474

**Michael MacEachern, Chairman**  
Paul L. Rafuse,  
Water Superintendent

**Niles Busler, Vice-Chairman**

**Nathan Mattila, Clerk**  
(978) 597-2212  
Fax (978) 597-5561

**WATER COMMISSIONERS MEETING AGENDA**  
**November 16, 2015 - 5:30P.M.**  
**Water Department 540 Main Street, Meeting Room**

**I. PRELIMINARIES:**

- 1.1 Call the meeting to order and announce meeting address.
- 1.2 Roll call.
- 1.3 Announce that the meeting is being tape recorded
- 1.4 Chairman's additions or deletions.
- 1.5 Review/ Approve meeting minutes of October 14, 2015(SF)
- 1.6 Review correspondence.

**II. APPOINTMENTS:**

2.1

**III. MEETING BUSINESS:**

- 3.1 Discuss request by Board of Selectmen to resolve Water Department Superintendent on call compensation matter.
- 3.2 Approve new credit card policy adopted by the Board of Selectmen on October 27, 2015.
- 3.3 Present Board with draft "Water Restriction By-Law" for review.
- 3.4 Approve refund to acct 61357, 25 Sumac Drive, \$498.61 Late Charge RE: Payment sent to us in Error. Was meant for another vendor.
- 3.5 The Board of Selectmen voted to close non-continuous operations departments to the public on the day after Thanksgiving, November 27, 2015. Employees can choose to work or can use vacation or personal time.
- 3.6 Approve 1" service to Shelia Donovan, 12 Barker Hill Rd, Appl#2015-11,Acct#61453 \$2,000.00.
- 3.7 Approve 1" service to Loretta Perillo, 26 Barker Hill Road, Appl# 2015-12,Acct#1506
- 3.8 Discuss funds to reimburse the town for unemployment expenses for C. Smart in the sum of \$1,044.00.

**IV. COMMISSIONERS UPDATES AND REPORTS.**

4.1

**V. WATER SUPERINTENDENTS UPDATES AND REPORTS.**

- 5.1 Cross St. Well testing
- 5.2 Witches Brook underground power
- 5.3 Repairs-Upgrades to Fitchburg Rd. Storage Tank.
- 5.4 Energy efficient car to replace 2007 Ford F-150 Pick Up

**VI. OFFICE UPDATES AND REPORTS.**

- 6.1 Review and Sign Bills Payable Warrants.
- 6.2 Review payroll.
- 6.3 Review and sign October Schedule of Bills Receivable report (SF)
- 6.4 Review October 2015 Accounts Receivable report.

\*\* (SF) signature folder

**VII. ADJOURNMENT:**

116



Thursday, October 15, 2015

Paul Rafuse  
Townsend Water Department  
540 Main St  
Townsend, MA 01469



RE: Fitchburg Rd Tank Maintenance and Asset Management Program

Dear Townsend Board of Water Commissioners:

Thank you for the recent opportunity to meet with you. It was a pleasure sharing information regarding your Fitchburg Rd Tank asset. I do hope we are able to find mutual benefit in working together.

On a personal note, I take great pride in what I do. It is my goal every day to help water professionals in New England improve the maintenance and management of critical water system assets. It is my livelihood and why I do what I do. After serving in the USMC and working in the water industry for 23 years, I know what I am doing today is making a difference in the communities I serve. There is a national problem and I am able to offer solutions that address the problem. I have the nation's largest tank maintenance company at my back to make sure communities in New England preserve, protect and establish sustainability so that our infrastructure is here for our children and future generations. That is really what it is all about for me. Making sure I contribute somehow to ensure my kids have available to them the necessary infrastructure to provide safe, clean public drinking water.

You have the power and the choice to change the traditional approach. Through proactive, preventative, time based activities to preserve and extend asset life, reduce life cycle costs and ensure consistent optimal performance of your tank, our comprehensive program for maintenance ensures you sustainability. Through best practices, our services will help maintain your water quality while in storage so your customers can be confident in receiving safe, clean drinking water to their homes.

The traditional model has failed our industry as a whole. Running to failure is no longer an option. No more Band-Aid approach. No more knocking on wood and crossing our fingers that nothing bad happens on our watch. By establishing strong relationships with my customers, assuming all risk and applying basic asset management principles I am helping water systems maintain infrastructure and save money.

I look forward to the opportunity of helping you and your community. Please contact me if I can be of further assistance as you evaluate your options for the Fitchburg Rd tank. I am at your service.

Sincerely,

Scott B. Kelley

*Water Quality & Asset Management*

*Water System Consultant for NH, ME, VT and MA*



3.1

Office of the  
**BOARD OF SELECTMEN**  
272 Main Street  
Townsend, Massachusetts 01469

Carolyn Smart, *Chairman*

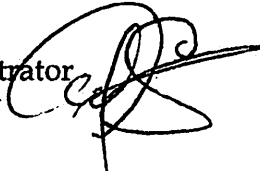
Andrew J. Sheehan,  
*Town Administrator*

Gordon Clark, *Vice-Chairman*

Office (978) 597-1701  
Fax (978) 597-1719

**MEMORANDUM**

TO: Michael MacEachern, Chairman, Board of Water Commissioners  
Paul Rafuse, Water Superintendent  
David Jenkins, Labor Counsel

FROM: Andrew J. Sheehan, Town Administrator 

DATE: October 14, 2015

SUBJ.: Superintendent On-Call Pay

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At its meeting of November 10, 2015, the Board of Selectmen (BOS) discussed on-call pay for Water Superintendent Paul Rafuse. The BOS indicated its intention to sign the conflict of interest disclosure and suggested a memorandum of agreement is also necessary in order to provide compensation in addition to salary. Furthermore, it was agreed that labor counsel David Jenkins would facilitate the preparation of an agreement.

The Board of Selectmen offers the following:

1. The Board of Water Commissioners (BOWC) agrees to pay legal costs associated with labor counsel drafting a solution acceptable to the BOWC, BOS, and Superintendent;
2. The BOWC will vote on a process by which on-call coverage is scheduled in order to take the Superintendent out of the scheduling process;
3. In order that he can be compensated for on-call rotations he has already worked, the Superintendent shall provide proof of on-call rotations he has performed and for which he has not been compensated;
4. On-call pay shall be the same for all employees regardless of position, rank, or union status.

The Board of Selectmen is tentatively scheduled to include this on the November 24, 2015 agenda.



3.1

**TOWN OF TOWNSEND**  
**Board of Water Commissioners**

**POLICY FOR USE OF CREDIT CARDS**

POLICY: #01-2014  
ISSUE DATE: February 10, 2014

**I. TYPE OF CARDS ALLOWED:**

- A. General Credit Cards (Master Card, Visa, Discover etc.) will not be allowed for Departmental Credit Cards.
- B. Vender specific Credit Cards (Lowe's, Home Depot, Staples etc.) will be allowed.

**II. TERMS OF USE:**

- A. The billing address will be;  
Townsend Water Department  
540 Main Street  
West Townsend, Ma., 01474
- B. The maximum limit (total) to be charged by Departmental Credit Card(s) is not to exceed \$6,000.00 per fiscal year.
- C. Only items for direct use of the Water Department in pursuing Water Department business will be charged on any Water Department Credit Card.
- D. No items for personal use by Water Department personnel will be charged on any Water Department Credit Card.
- E. Departmental Credit Cards will not be used for the purchase of Clothing Allowance items.

**III. TERMS OF PAYMENT:**

- A. The Department Credit Card(s) bill(s) will be placed on the first "bills payable warrant" after the bill is received. Late charges will not be tolerated.

**IV. RETURNS:**

- A. Any item charged on any Department Credit Card and returned to the vender will be explained on a "Returned Merchandise Form" which will contain the following information;
  - 1. The name of the Vender to which the item was returned
  - 2. The date of purchase and the date of the return
  - 3. The reason for the return of merchandise
- B. All Department Credit Card reimbursements will be made in the form of a credit to the Department Credit Card account.

**V. LOSS OF USE:**

- A. Using any Departmental Card to make personal purchases or items other than for the use of the Water Department.
- B. Incurring late charges

**VI. CONTROLS:**

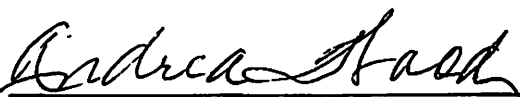
- A. The Departmental Credit Card(s) will be the responsibility of the Water Department Superintendent and under his/her direct control which will include but not be limited to;
  - 1. Providing a safe and secure environment for the Departmental Credit Card(s) on the premises of the Water Department when not in use.
  - 2. Authorizing the use of Departmental Credit Card(s) by employees
  - 3. Regaining custody of the Departmental Credit Card(s) in a timely fashion after the use by an employee
  - 4. Keeping, in a secure place on the premises of the Water Department, a complete record of the information needed to report the loss of the Departmental Credit Card(s)
- B. The Superintendent must be prepared to explain any or all purchases made with the Departmental Credit Card(s).
- C. In case of the loss of a Departmental Credit Cards(s) the Superintendent will be responsible to report the loss to the vender immediately and to follow the Vendor's procedure for canceling the lost Departmental Credit Card(s) and the reissuing of a new Departmental Credit Card(s).
- D. If the Departmental Credit Card(s) are used near the end of a fiscal year the Superintendent will be responsible to see that funds are encumbered from the budget to cover the amount of the outstanding bill(s).

Accepted this 14<sup>th</sup> day of April 2014.

TOWNSEND BOARD OF WATER COMMISSIONERS

  
\_\_\_\_\_  
Niles Busler, Chairman

  
\_\_\_\_\_  
Fran McNamera, Vice-Chair

  
\_\_\_\_\_  
Andrea Wood, Clerk

3.2



Office of the  
**BOARD OF SELECTMEN**  
272 Main Street  
Townsend, Massachusetts 01469

Gordon Clark, *Chairman*  
Andrew J. Sheehan,  
*Town Administrator*

Carolyn Smart, *Vice-Chairman*  
Office (978) 597-1701  
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POLICY #3-2015  
BOARD OF SELECTMEN

**USE OF CREDIT CARDS**

**STATEMENT:**

The use of cash accounts with vendors is difficult for the Town of Townsend to manage and control. For this reason, the Town hereby establishes this policy governing the use of credit cards by Town departments.

**TYPES OF CREDIT CARDS:**

- Prohibited cards: Major Credit Cards (Master Card, Visa, Discover etc.) are not allowed.
- Permitted cards: Vender-specific Credit Cards (Lowe's, Home Depot, Staples etc.) are allowed.

**TERMS OF USE:**

The maximum limit (total) to be charged by any department shall not exceed \$6,000.00 per fiscal year unless authorization is received by the

Town Accountant. Unless approved in advance by the Town Accountant, charges shall not exceed the budgeted amount

Only items for direct use of the department in pursuing departmental operations are allowed.

No charges shall be incurred for personal use by town personnel authorized to use said credit card.

**TERMS OF PAYMENT:**

Credit card invoices will be processed for payment when received. Late charges will not be tolerated and will result in loss of use.

**RETURNS:**

Any item charged on a credit card and returned to the vender will be explained on a "Returned Merchandise Form" which will contain the



following information;

1. The name of the Vender to which the item was returned
2. The date of purchase and the date of the return
3. The reason for the return of merchandise

All credit card reimbursements will be made in the form of a credit to the credit card account.

**LOSS OF USE:** The following shall result in loss of privileges:

Use of card to make personal purchases or to purchase items other than for the use of the department.

Incurring late charges

**CONTROLS:**

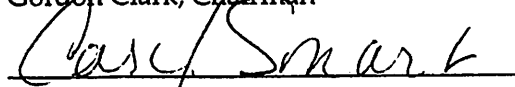
The credit card(s) is the responsibility of the Department Head and under his/her direct control. The department head shall:

1. Ensure that the credit card is kept in a secure location when not in use.
2. Authorize the use of the credit card(s) by employee (s).
3. Ensure that the credit card(s) is returned after the authorized use
4. Record of any account # user names and/or passwords on file with the Town Accountant to secure and/or report to any appropriate agency information needed for lost or stolen card (s).

ADOPTED BY THE BOARD OF SELECTMEN ON October 22, 2015

  
\_\_\_\_\_

Gordon Clark, Chairman

  
\_\_\_\_\_

Carolyn Smart, Vice-Chair

### Section 1: Authority

This Bylaw is adopted by the Town of Townsend under its police powers pursuant to the Home Rule Amendment of the Massachusetts Constitution, Article LXXXIX, to protect public health and welfare and pursuant to its powers under M.G.L. c.40, §§21 et seq. and implements the Town's authority to regulate water use pursuant to M.G.L. c.41, §69B. This bylaw also implements the Town's authority under M.G.L. c. 40, §41A, conditioned upon a declaration of water supply emergency issued by the Department of Environmental Protection (DEP) under G.L. c. 21G, §15-17. This bylaw is also intended to implement other water conservation requirements of M.G.L. c. 21G, the "Massachusetts Water Management Act" and its regulations promulgated at 310 CMR 36.00.

### Section 2: Purpose

The purpose of this bylaw is to protect, preserve and maintain the public health, safety, welfare and the environment whenever there is in force a "State of Water Supply Conservation" or a "State of Water Supply Emergency" by ensuring an adequate supply of water for drinking and fire protection and to protect the quality and quantity of water in local aquatic habitats such as ponds, rivers and wetlands. This purpose will be accomplished by providing for the imposition and enforcement of any duly implemented restrictions, requirements, provisions or conditions on water use imposed by the Town of Townsend in accordance with this bylaw and/or by the DEP under its state law authorities.

### Section 3: Applicability

All Town residents that are customers of the public water supply system and private well users shall be subject to this bylaw. This bylaw shall be in effect year round.

*The inclusion of water users is intended to provide the option to capture the use of private wells for nonessential outdoor water use. If you do not intend to include private well users, strike the "water users" definition and replace the term "water users" with "water customers" wherever applicable. Do you want it to be year round or May – October?*

### Section 4: Definitions

Agriculture shall mean farming in all its branches as defined at M.G.L. c. 128, § 1A.

This statutory definition includes cultivation of the soil, dairying and the production, cultivation, growing and harvesting of agricultural, aquacultural, floricultural or horticultural commodities as well as forest harvesting, raising livestock inclusive of bees and fur-bearing animals and forestry, lumbering, preparation for market, delivery to storage or market or to carriers to market incidental to an agricultural operation.

Automatic sprinkler system shall mean any system for watering vegetation other than a hand-held hose or a bucket.

Nonessential outdoor water use shall mean those uses that are not required:

1. for health or safety reasons;
2. by regulation;
3. for the production of food and fiber;
4. for the maintenance of livestock; or
5. to meet the core functions of a business (for example, irrigation by golf courses as necessary to maintain tees and greens, and limited fairway watering, or irrigation by

plant nurseries or agricultural operations as necessary to maintain stock or establish new plantings, wash equipment to prevent damage and/or maintain performance, pest management and plant cooling).

**Nonessential outdoor water uses** that are subject to mandatory restrictions include:

1. irrigation of lawns via sprinklers or automatic irrigation systems;
2. washing of vehicles, except in a commercial car wash or as necessary for operator safety or to prevent damage and/or maintain performance of agricultural or construction vehicles or equipment; and
3. washing of exterior building surfaces, parking lots, driveways or sidewalks, except as necessary to apply paint, preservatives, stucco, pavement or cement.

**Exceptions to nonessential outdoor water uses** are:

1. irrigation of public parks and recreation fields outside the hours of 9 AM to 5 PM and;
2. irrigation of lawns, gardens, flowers and ornamental plants by means of a hand-held hose outside the hours of 9 AM to 5 PM and;
3. Irrigation outside the hours of 9 AM to 5 PM with harvested and stored stormwater runoff.

The following outdoor water uses are subject to review and approval by the Town of Townsend, through its Board of Water Commissioners or their designee:

1. irrigation to establish replanted or resodded lawn or plantings during the months of May through September;
2. irrigation of newly planted lawns (seeded or sodded) in the current calendar year for homes or businesses newly constructed in the previous twelve months;
3. Filling of privately owned outdoor pools.

Person shall mean any individual, corporation, trust, partnership, association, agency or authority, or other entity and any officer, employee, group or agent of such persons.

State of Water Supply Emergency shall mean a State of Water Supply Emergency declared by the Department of Environmental Protection under M.G.L. c.21G, §15-17.

State of Water Supply Conservation shall mean a State of Water Supply Conservation declared by the Town of Townsend pursuant to Section 5 of this by-law.

Water Customers shall mean all persons using the public water supply irrespective of that person's responsibility for billing purposes for use of the water.

Water Users shall mean all persons using water within the Town.

## **Section 5: Declaration of a State of Water Supply Conservation**

The Town of Townsend, through its Board of Water Commissioners or their designee authorized to act as such, may declare a State of Water Supply Conservation upon a determination that conservation measures are appropriate to ensure an adequate supply of water for drinking and fire protection, to protect the quality and quantity of water in local aquatic habitats such as ponds, rivers and wetlands and to ensure compliance with the Water Management Act. Upon notification to the public that a declaration of a State of Water Supply Conservation has been declared, no person shall violate any provision, restriction, requirement or condition of the declaration. The Water Commissioners may designate the Water Department Superintendent or Town Administrator to declare a State of Water Supply Conservation at any time that conditions warrant. Public notice of a State of Water Conservation shall be given under Section 8 of this by-law before it may be enforced.

## **Section 6: Declaration of a State of Water Supply Emergency**

Upon notification to the public that a declaration of a State of Water Supply Emergency has been issued by the Department of Environmental Protection, no person shall violate any provision, restriction, requirement, condition of any order approved or issued by the Department for the purpose of bringing about an end to the State of Water Supply Emergency.

## **Section 7: Restricted Water Uses**

A declaration of a State of Water Supply Conservation and/or a State of Water Supply Emergency shall include one or more of the following restrictions, conditions, or requirements limiting nonessential outdoor water use by water customers as necessary to control the volume of water pumped each day, except as provided as acceptable in Section 4. The applicable restrictions, conditions or requirements shall be included in the public notice required under Section 8.

- A. Nonessential outdoor water use days: Nonessential outdoor water use is permitted only on the days per week specified in the State of Water Supply Emergency or State of Water Supply Conservation and public notice thereof. During a State of Water Supply Emergency or State of Water Supply Conservation, nonessential outdoor water use is restricted to two days or fewer per week.
- B. Nonessential outdoor water use hours: nonessential outdoor water use is permitted only during the hourly periods specified in the declaration of a State of Water Supply Emergency or State of Water Supply Conservation and public notice thereof. At a minimum, nonessential outdoor water use is prohibited during the hours from 9AM to 5PM.
- C. Nonessential outdoor water use method restriction: nonessential outdoor water use is restricted to a bucket or hand-held hose controlled by a nozzle.
- D. Nonessential outdoor water use ban: Nonessential outdoor water use is prohibited at all times.

- E. Automatic sprinkler system ban: The use of automatic sprinkler systems is prohibited.

**Section 8: Public Notification of a State of Water Supply Conservation or State of Water Supply Emergency; Notification of DEP**

- A. Public Notification of a State of Water Supply Conservation – Notice to the public of all provisions, including all restrictions, requirements and conditions imposed by the Town of Townsend as part of a State of Water Supply Conservation shall be made as soon as possible, but no later than 48 hours following the declaration of a State Water Supply Conservation by publication in a newspaper of general circulation within the Town and by signage on major roadways or intersections. The Town of Townsend may also notify the public using other means determined to be appropriate (cable TV, reverse 911, email, etc.). Notification may also include email, Web sites, public service announcements on local media or other such means reasonably calculated to reach and inform all Water Users.
- B. Public Notification of a State of Water Supply Emergency – Notice to the public of all provisions, including all restrictions, requirements and conditions imposed by a State of Water Supply Emergency declared by the Department shall be made by publication in a newspaper of general circulation with the Town and by signage on major roadways or intersections. The Town of Townsend may also notify the public using other means determined to be appropriate (cable TV, reverse 911, email, etc.). This notice shall be provided as soon as possible, but no later than 48 hours after the public water system receives notice of the Department's declaration of a State of Water Supply Emergency. Notification may also include email, Web sites, public service announcements on local media or other such means reasonably calculated to reach and inform all Water Users of the State of Water Supply Emergency.
- C. Any restriction imposed under Section 5 or Section 6 or in the Department's State of Water Supply Emergency or Order shall not be effective until notification to the public is provided. Submittal of MassDEP's form "Notification of Water Use Restriction" shall be provided to the Massachusetts DEP within 14 days of the effective date of the restrictions, per MassDEP regulations (310 CMR 22.15(8)).

**Section 9: Termination of a State of Water Supply Conservation; Notice**

A State of Water Supply Conservation may be terminated by a majority vote of the Board of Water Commissioners or by decision of their designee upon a determination by either or both of them that the conditions requiring the State of Water Supply Conservation no longer exist. Public notification of the termination of a State of Water Supply Conservation shall be given in the same manner as is required in Section 8a) for notice of its imposition.

**Section 10: Termination of a State of Water Supply Emergency; Notice**

Upon notification to the Town of Townsend or Water Commissioners or their designee or to the Water Department that the declaration of a State of Water Supply Emergency

has been terminated by the DEP, the public will be notified of the termination in the same manner as is required in Section 8B for notice of its imposition.

### **Section 11: Penalties**

The Town through its Water Commissioners or their designee including the water superintendent, building inspector and/or local police may enforce this by-law. Any person violating this by-law shall be liable to the Town in the amounts listed below:

- A. First violation: Warning
- B. Second violation: \$ \_\_\_\_\_
- C. Third violation: \$ \_\_\_\_\_
- D. Fourth and subsequent violations: \$ \_\_\_\_\_ (You need to fill these in...typically \$25, \$50, \$100 or \$100, \$200, \$300 – your choice)

Each day of violation shall constitute a separate offense. Fines shall be recovered by complaint before the District Court, or by non-criminal disposition in accordance with section 21D of chapter 40 of the general laws. For purposes of non-criminal disposition, the enforcing person shall be any police officer of the town or the water superintendent or the superintendent's designee. If a State of Water Supply Emergency has been declared the Water Commissioners may, in accordance with G.L. c. 40, s. 41A, shut off the water at the meter or the curb stop.

(Would need to add the Super to the non-criminal disposition section of the bylaws)

### **Section 12: Severability**

The invalidity of any portion or provision of this by-law shall not invalidate any other portion or provision thereof.

**Section 13: Controls on In-Ground Irrigation Systems** (This section is intended to govern automatic irrigation systems and may be passed as part of a water use restriction bylaw or separately. It is included here for convenience.)

#### Subsection 13.1: Registration and Installation

- A. All new and existing in-ground irrigation systems shall be registered with the Town's Board of Water Commissioners in such form and manner as they shall determine. A fee may be charged for this registration. Registration fees shall be set by the Board of Water Commissioners. (Be sure that fees charged avoid characterization as a tax under the principles of Emerson College vs. City of Boston, 391 Mass. 415, 424-426 (1984) by ensuring services provided (inspection, etc.) support the fee and that fees paid are used to pay for those services.) The Board may require inspection of the irrigation system.
- B. All in-ground irrigation systems shall be equipped with a timing device that can be set to make the system conform to the Town's nonessential outdoor water use restrictions. During a State of Water Supply Emergency or State of Water Supply Conservation the timing device must be set to conform to the daily and hourly nonessential outdoor water use restrictions.
- C. All in-ground irrigation systems shall be plumbed so that a shutoff valve is located outside the building and situated so that it may be shut off if found to be in violation

of this by-law. For the purposes of this section only, Police Officers of the Town and/or Agents of the Board of Water Commissioners may enter upon any property to enforce this section.

Subsection 13.2: Soil Moisture-Sensor Devices

- A. All in-ground irrigation systems installed in the Town after the effective date of this bylaw shall be equipped with a soil moisture-sensor device, approved by the Board of Water Commissioners, to prevent the system from starting automatically when not needed. Proof of this installation shall be provided to the Board of Water Commissioners at the time of registration.
- B. Any service or repair to an existing in-ground irrigation system shall include the installation of an approved moisture-sensor device, if the same is not already installed and in good working condition. Proof of this installation shall be provided to the Board of Water Commissioners at the time of installation.
- C. The Board of Water Commissioners shall maintain a list, available to the public, of approved soil moisture-sensor devices.

Subsection 13.3: Backflow Prevention

- A. All in-ground irrigation systems connected to the municipal water system in the Town shall be protected from backflow events by the installation of a backflow prevention device approved by the Board of Water Commissioners. Each backflow prevention device shall be registered with the Board of Water Commissioners. [A fee may be charged for this registration.] Registration fees shall be set by the Board of Water Commissioners.
- B. The Board of Water Commissioners shall maintain a list, available to the Public, of approved backflow prevention devices. Refer to Table 22-1 in 310 CMR 22.22 for the recommended backflow protection for irrigation systems.
- C. Each backflow prevention device shall be installed in accordance with 310 CMR 22.22 and the manufacturer's instructions. Each device shall be tested upon its installation and annually thereafter. A Massachusetts Certified Backflow Device Tester shall perform all testing. Copies of all testing results shall be filed with the Board of Water Commissioners or Water Department.

TOWN OF TOWNSEND- SCHEDULE OF DEPARTMENTAL BILLS										
To the Accounting Officer:										
		The following named bills of the WATER DEPARTMENT aggregate to								
<b>FOUR HUNDRED NINETY-EIGHT AND 61/100</b>		*****								<b>Dollars,</b>
have been approved by the Board of Water Commissioners and you are requested to place them on a warrant for payment.										
DATE:	November 10, 2015									
FY16										
<b>NAME</b>	<b>CLASSIFICATION</b>						<b>AMOUNT</b>	<b>TOTAL</b>		
JOHN DUVAL	061-000-4210-0000-USER CHARGES						498.61	498.61		
							TOTAL	498.61	498.61	



3-46



Office of the  
Townsend Water Department  
540 Main Street  
West Townsend, MA 01474  
Tel: 978-597-2212  
Fax: 978-597-5611

Application No. 2015-11  
Account No. 61453  
Date 10/16/2015

**APPLICATION FOR WATER SERVICE**

Name of Property Owner: Sheila Donovan  
Service Address: 12 Barker Hill Road  
Townsend MA 01469  
Tel No.: 978-597-5918 Cell No. \_\_\_\_\_  
Billing Address:  
(If different from service address): \_\_\_\_\_

Units (Check all that apply):

Single Family (If Professional Bldg.) No. of Businesses      
 Multi Family (Apartment Building) No. Apartments      
 Hotel/Motel No. Rooms:    

Type of Use (Check One):

Residential  Industrial  
 Commercial/Business  Municipal  
 Agricultural

Is a sprinkler system required for fire protection?  Yes  No  
If yes a proposed design plan of the system must be submitted including required flows, required pipe size, and size and backflow prevention device.

Is a flow test/s required?  Yes  No  
If yes the owner will be billed separately at the current rate per flow test.

Is there an existing or proposed automatic lawn irrigation system?  Yes  No On separate well

Has a sketch or plot plan been provided showing the location of the septic system, automatic lawn irrigation system and any known or proposed additions to the existing building?  Yes  No \*\*\*\*\*Plot Plan Requested

I, the Owner understand this form is to be completed and all Fees, charges, and required documentation must be received before water service will be turned on. I also understand that I have from April 1st to November 1st of the same calendar year of the application date to complete the installation or this application shall be null and void and the Connection/System Development charge forfeited. In addition, I acknowledge receipt of the Townsend Water Department's current Rules and Regulations \_\_\_\_\_

Sheila Donovan 10/16/15  
Signature of Owner/Applicant Date

BOARD OF WATER COMMISSIONERS

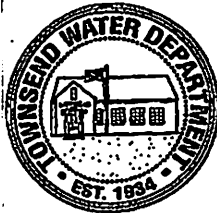
[Signature]  
Chairman  
[Signature]  
Clerk

[Signature]  
Vice Chairman

\_\_\_\_\_  
Date Signed by Board of Water Commissioners

Paid  
2000 -  
VH 1005  
10/16/15

call # 978-833-9591



Office of the  
**Townsend Water Department**  
 540 Main Street  
 West Townsend, MA 01474  
 Tel: 978-597-2212  
 Fax: 978-597-5611

3.4

Application No. 2015-12  
 Account No. 61506  
 Date 11/4/2015

**APPLICATION FOR WATER SERVICE**

Name of Property Owner: Loretta Perillo  
 Service Address: 26 Barker Hill Road  
Townsend MA 01469  
 Tel No.: 978-300-5321 Cell No. 978-467-5327

Billing Address:  
 (if different from service address): Scott Wheeler-270 Wallace Hill Road  
Toensend swheels39@hotmail.com

Units (Check all that apply):

Single Family (If Professional Bldg.) No. of Businesses      
 Multi Family (Apartment Building) No. Apartments      
 Hotel/Motel No. Rooms:    

✓ # 1014  
 2000

Type of Use (Check One):  Residential  Industrial  
 Commercial/Business  Municipal  
 Agricultural

Is a sprinkler system required for fire protection?  Yes  No  
 If yes a proposed design plan of the system must be submitted including required flows, required pipe size, and size and backflow prevention device.

Is a flow test/s required?  Yes  No  
 If yes the owner will be billed separately at the current rate per flow test.

Is there an existing or proposed automatic lawn irrigation system?  Yes  No On separate well

Has a sketch or plot plan been provided showing the location of the septic system, automatic lawn irrigation system and any known or proposed additions to the existing building?  Yes  No \*\*\*\*\*Plot Plan Requested

I, the Owner understand this form is to be completed and all fees, charges, and required documentation must be received before water service will be turned on. I also understand that I have from April 1st to November 1st of the same calendar year of the application date to complete the installation or this application shall be null and void and the Connection/System Development charge forfeited. In addition, I acknowledge receipt of the Townsend Water Department's current Rules and Regulations

Rosario Perillo  
 Signature of Owner/Applicant

11/4/15  
 Date

BOARD OF WATER COMMISSIONERS

[Signature]  
 Chairman  
[Signature]  
 Clerk

[Signature]  
 Vice Chairman

Date Signed by Board of Water Commissioners



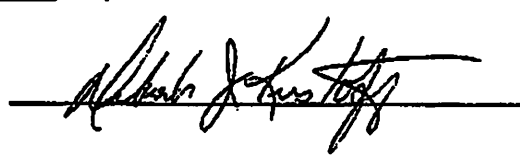
3.8

TOWN OF TOWNSEND  
SCHEDULE OF DEPARTMENTAL BILLS PAYABLE

FY16

To the Town Accountant

The following named bills of the TREASURER/COLLECTOR Department, amounting in the aggregate to FOUR THOUSAND EIGHT HUNDRED SIXTY-NINE DOLLARS AND 94/100 have been approved by the Treasurer/Collector Department, and you are requested to place them on a warrant for payment.



DATE 11/9/2015

NAME	ACCOUNT #	AMOUNT	TOTAL
------	-----------	--------	-------

DEPARTMENT OF UNEMPLOYMENT ASSISTANCE

✓ 7/13/2015	#69951451	<del>TOWN DEPT</del>	1,663.00	<del>DEPT DEPT</del>
8/17/2015	#72148920	<del>TOWN DEPT</del>	✓ 1,948.00	<del>DEPT DEPT</del>
		SMART	174.00	WATER DEPT ✓
		INTEREST	0.55	
9/14/2015	#73750299	<del>TOWN DEPT</del>	168.42	<del>DEPT DEPT</del>
		SMART	696.00	WATER DEPT ✓
		INTEREST	15.31	
10/13/2015	#85336004	SMART	174.00	WATER DEPT ✓
		INTEREST	30.66	

TOTAL \$ 4,869.94

01-09-913-5750  
000-000

FY16

G/F  
#3805.94

Water  
\$ 1,044.00

5300



**TOWNSEND WATER DEPARTMENT**  
540 Main Street West Townsend, Massachusetts 01474

Michael MacEachern, Chairman  
Paul L. Rafuse,  
Water Superintendent

Niles Busler, Vice Chairman

Nathan Mattila, Clerk  
(978) 597-2212  
Fax (978) 597-5611

NO. 16-4

10/31/2015

SCHEDULE OF BILLS RECEIVABLE

To the Accountant:  
Treasurer:

The following bills, amounting in the aggregate to

TWO HUNDRED NINETY-SEVENTHOUSAND SIX HUNDRED TWELVE & Dollars

are herewith committed for collection.

<u>DATE</u>	<u>USER CHARGES</u>	<u>SERVICE CHARGES</u>	<u>CONN CHARGES</u>	<u>BACK FLOW</u>	<u>LATE CHARGES</u>	<u>TOTAL</u>
10/31/15	287,426.50	6,926.66	2,000.00	0.00	1259.02	297,612.18

BOARD OF WATER COMMISSIONERS

Michael MacEachern, Chairman

Niles Busler, Vice-Chairman

Nathan Mattila, Clerk

6.4

**FISCAL YEAR 16 SUMMARY**  
**TOWNSEND WATER DEPARTMENT - ACCOUNTS RECEIVABLE**  
 October 31, 2015

UNCOLLECTED FROM JUNE 30, 2015 75,812.05

<u>CHARGED 07/01/14- 10/31/15</u>	<u>9/30/2015</u>	<u>Previous Balance</u>	<u>Total</u>
USER CHARGES	287,426.50	271,410.00	558,836.50
SERVICE CHARGES	6,926.66	9,227.16	16,153.82
CONNECTION CHARGES	2,000.00	10,000.00	12,000.00
LATE CHARGES	1,259.02	5,082.40	6,341.42
BACKFLOW	0.00	2,275.00	2,275.00
SUBTOTAL	<b>297,612.18</b>		
TOTAL CHARGES			<b>595,606.74</b>
			<b>671,418.79</b>

<u>RECEIVED 07/01/14- 10/31/15</u>	<u>9/30/2015</u>		
USER CHARGES	208,457.91	249,300.68	457,758.59
SERVICE CHARGES	5,438.16	9,614.87	15,053.03
CONNECTION CHARGES	2,000.00	10,000.00	12,000.00
LATE CHARGES	1,222.80	3,203.66	4,426.46
BACKFLOW	9.84	2,160.16	2,170.00
SUBTOTAL	<b>217,128.71</b>		
TOTAL RECEIPTS			<b>491,408.08</b>

SENT TO LIEN	0.00
LIENS COLLECTED	0.00
ABATEMENTS	35.00
ADJUSTMENTS	158.17
UNCOLLECTED	<b>179,817.54</b>
	<b>671,418.79</b>

**OUTSTANDING:**

USER CHARGES	\$ 169,413.19
SERVICE CHARGES	3,221.30
CONNECTION CHARGES	0.00
LATE CHARGES	6,978.05
BACKFLOW	205.00
TOTAL OUTSTANDING	\$ 179,817.54