

03/28/2016

A special meeting of the Board of Water Commissioners was held at Freedom Hall at 4:30 p.m. Chairman Barnicle and Commissioner Mastro were present, as was Superintendent Chris Wiseman.

The meeting was called to order at 4:30 p.m.

Cotuit resident, Ms. Amy Kates requested a time for public comment, which Chairman Barnicle deferred until the end of the meeting once the by-law changes were discussed.

Commissioner Mastro recommended making two changes to the by-laws. Mr. Mastro recommends that we update the language in Article 9 section 6 to enable the district to enforce penalties for the unauthorized use of a public water supply that are equal to what is stated in the Massachusetts State Law 446, Section 39G of chapter 40.

Alternative wording:

**Fines and penalties will be imposed for the unauthorized taking, diverting, corrupting, or defiling of the public water supply or upon an entity who injures, destroys, or interferes with the public water authority's operations, construction, or maintenance, including the unauthorized willful trespass on the water authority's land or facilities. These fines and penalties will be imposed in accord with Massachusetts Session Law 446 which amends the following General Law: Section 39G of Chapter 40; Section 9 of Chapter 92A ½; Section 170 Chapter 111; and inserting Section 123A in Chapter 266 and any other applicable Massachusetts State Law.**

Mr. Mastro made a motion to accept the changes as recommended, using the Alternative wording, to replace the current Article 9 Section of the existing By-laws to incorporate the Mass General Law.

All were in favor and the motion was passed.

Commissioner Mastro made a second motion to update Article 9 Section 1 to replace the word "supervise" with Management and Oversight.

All were in favor and the motion was passed.

Chairman Barnicle then opened the meeting to public comment. Ms. Kates requested a recap of the timeline that lead to the recommendation to change the by-laws. Superintendent Wiseman noted that he had made the request at a meeting last fall and asked Mr. Mastro, who was assigned to the bylaw committee at a previous meeting to address the discrepancy between our bylaw and the Mass. General Law.

The meeting adjourned at 4:46 p.m.

Respectfully submitted,

Theodore Barnicle, Chairman

Cc: Prudential Committee