

# FINAL

## Operating Principles of Central Plymouth County Water District Commission

Adopted July 7, 2020

### Article 1. TITLE AND PURPOSE

- 1.1. The name of this commission is Central Plymouth County Water District Commission, abbreviated as CPCWDC (hereinafter referred to as the Commission).
- 1.2. The purposes of the Commission are set out in Section 3 of Chapter 371 of the Acts of 1964 (hereinafter referred to as the Acts):
  - 1.2.1. “The Commission shall, in cooperation with and with the advice of the state department of public health, the department of agriculture and the water resources commission, investigate available surface and subsurface sources of water supply for the district and the allocation of said supplies within the district, and shall study the water supply needs and resources of Plymouth county and the adjacent portions of Norfolk county, with priority given to the study of Cleveland Pond in Abington, and to the ground water in the city of Brockton and the towns of Hanson, Halifax, East Bridgewater and Whitman.”
  - 1.2.2. “The Commission shall also investigate all pertinent matters relating to the quantity of water required, the quantity of water to be obtained from available sources, its quality, the best method of protecting the purity of the water, the construction, operation and maintenance of the works for storing, conveying or purifying the water and the cost of the same, the damages to property and all other matters pertaining to the subject.”
- 1.3. The purpose of these bylaws is to establish administrative procedures and policies for the governance of the Commission.

### Article 2. MEMBERSHIP

- 2.1. As per the Acts, the Commission shall consist of three members appointed by Central Plymouth County Water District Advisory Board (hereinafter referred to as the Advisory Board). One of those members shall be a resident of Brockton.
- 2.2. As per the Acts, appointments shall be for a term of three years except that an appointment to fill a vacancy shall be for the balance of the unexpired term.
- 2.3. If any member is absent from more than one-third of regularly scheduled meetings in a calendar year, the Commission chairman shall make a recommendation to the Advisory Board that the member be removed from the Commission, unless the member’s absences have been excused by the Commission chairman for good cause.
- 2.4. As per the Acts, a member of the Commission may be removed from office for cause and after a hearing by a vote of three-fourths of the Advisory Board.

- 2.5. Resignation shall be made by giving written notice to the Commission chairman, who shall, in turn, notify the Advisory Board chairman. The member may continue to serve as a member until such time as the member's replacement is appointed.
- 2.6. As per the Acts, the Advisory Board shall fill any vacancy within three months.
- 2.7. Members shall have the following duties:
  - 2.7.1. Participate in establishing Commission policy and objectives.
  - 2.7.2. Assist in communicating or implementing Commission policies, objectives and recommendations.
  - 2.7.3. Participate in decision-making through attendance and contribution at Commission meetings.
  - 2.7.4. Serve as liaison between the Commission and the city and towns of Central Plymouth County Water District.
  - 2.7.5. Apprise local, county and state officials of Commission activities.
  - 2.7.6. Carry out other duties and responsibilities as may be assigned from time to time by the Commission chairman.
- 2.8. No member shall vote on any matter where the member's private or family interest will conflict with the public's interest as set out in the State Conflict of Interest Law, MGL c. 268A.

**Article 3. CHAIRMAN**

- 3.1. As per the Acts, the Commission shall annually elect a chairman by majority vote, on or before the first Monday in May.
- 3.2. The chairman shall have the following duties:
  - 3.2.1. Set meeting agendas.
  - 3.2.2. Ensure proper posting of meeting notifications.
  - 3.2.3. Preside over all meetings.
  - 3.2.4. Call special meetings as needed.
  - 3.2.5. Ensure members are notified of their election and/or appointments and term expirations.
  - 3.2.6. Develop a budget for the coming fiscal year.
  - 3.2.7. Execute all expenditures and contracts authorized on behalf of the Commission and validate by signature all official documents, orders and proceedings of the Commission unless this authorization has been delegated by a majority vote of the Commission.
- 3.3. In the absence of the chairman, the chairman's role shall be assumed by the member with the most seniority on the Commission.

**Article 4. MEETINGS**

- 4.1. All meetings of the Commission shall be conducted in accordance with the State Open Meeting Law, MGL c. 39, § 23, c. 30A, § 18-25B and 940 CMR 29.
- 4.2. Regular meetings shall be held at least six times each calendar year. An annual schedule for the coming year shall be set and accepted by majority vote at the last meeting in a calendar year.
- 4.3. Special meetings may be called by the chairman or by any two members.

- 4.4. As per the Acts, a quorum shall consist of two members.
- 4.5. Decisions shall be made by simple majority of members present, unless otherwise noted in these bylaws.
- 4.6. Tie votes on any motion means that there has been no action taken on the motion.
- 4.7. Meeting minutes will be amended and approved at the next meeting.
- 4.8. The Commission shall be governed by Robert's Rules of Order Revised in all questions of parliamentary procedure not provided for by special rules or orders herein.

**Article 5. FINANCES AND ADMINISTRATION**

- 5.1. The Commission may receive for its purposes any funds or monies from any source, including grants, gifts or contributions made by individuals, foundations, corporations, or by municipal, county, state or federal government.
- 5.2. The Commission shall contract Plymouth County as clerk-treasurer to act as the Commission's fiscal agent and custodian of records. The clerk-treasurer shall have the following duties:
  - 5.2.1. Maintain a register of Commission membership and record attendance.
  - 5.2.2. Ensure proper notices of meetings are sent in accordance with applicable Massachusetts laws and Commission policy.
  - 5.2.3. Maintain an email list for Commission communications.
  - 5.2.4. Take minutes of all regular and special meetings.
  - 5.2.5. Keep Commission records and ensure records are open for public inspection. Records include, but are not limited to, minutes, written reviews and decisions, and reports.
  - 5.2.6. Act as custodian of the Commission's funds, dispersing monies received upon an order voted by the Commission.
  - 5.2.7. Maintain proper financial records, including accurate books of account that shall be open to the inspection of members of the Commission and the general public.
  - 5.2.8. Provide a statement of financial condition at each meeting and whenever circumstances require it.
  - 5.2.9. Provide an annual financial report for the fiscal year within sixty days after the end of the fiscal year.
  - 5.2.10. Make any budget recommendations for the coming fiscal year.

**Article 6. REIMBURSEMENT OF EXPENSES**

- 6.1. Members shall be eligible for reimbursement of all reasonable and necessary travel and other expenses for duties performed pursuant to Commission business. Expenses include, but are not limited to, transportation costs, meals, parking, registration fees, and hotel accommodations.
- 6.2. Expenses totaling less than \$500 in two months do not need pre-approval. Expenses over this amount shall be pre-approved by majority vote of the Commission.
- 6.3. Reimbursements shall be submitted to the clerk-treasurer in writing along with receipts and pre-approval, if necessary.

**Article 7. AMENDMENTS**

- 7.1. These bylaws may be amended at any meeting of the Commission by majority vote of those members present so long as written notice of the proposed amendment is distributed to each member at least seven days prior to the meeting.