

Local Law No. 2 of 2013

A local law to amend Local Law No. 1 of 2005, the "Town of Westerlo Water Use Law" by adding new section 804, "Water Board"

Local Law No. 1 of 2005, the "Town of Westerlo Water Use Law" of 2009 is hereby amended as follows:

A new **Section 804 - Water Board**, shall be added, to read as follows:

1. Creation of Water Board

The Town Board shall have the authority to create a Water Board (hereinafter referred to as the "WB"), which shall act as the Town's designee/agent with respect to interpreting, enforcing and assisting water district members with the System Operating Procedures, as set forth herein. The WB shall administer the Water Use Law, establish annual budgets and make annual recommendations to the Town Board concerning rate schedules to assist the Town Board in setting the Water District rate schedule under Section 801 herein. The WB shall also schedule and conduct the Annual Meetings, as the same are required under Section 802 herein, and shall serve as the review board for grievances and appeals under Section 803 herein.

2. Membership

The WB shall be composed of three voting members. Each voting member shall be a property owner in the water district over the age of eighteen (18), who shall be current on property taxes and water district bills, and whose system hookup shall be in compliance with the construction and connection requirements set forth herein.

Members shall be appointed by the Town Board at a public meeting and shall serve for two years. Members may be reappointed for additional terms, and there shall be no term limit. Members shall not receive compensation for their service on the WB. The Town Board shall also select one of the appointed members to serve as chairman of the board. An appointment to fill a vacancy shall be made for the remainder of the affected term in the same manner as the original appointment was made. Such appointment shall be made within sixty days of the date the position becomes vacant.

The designation or appointment of any person to the WB shall be considered terminated if, in the course of any one-year period commencing from the date of their designation or appointment, such person shall have accrued two unexcused absences from meetings of the board. Excuses for absences are to be accepted at the discretion of the chairman. In the event of such termination, the resulting vacancy shall be filled by the Town Board.

3. Duties of the Board.

The WB shall have the following powers and duties:

To review the costs and expenditures associated with operation of the Water District, in comparison with the revenues generated through collection of water usage fees, and make recommendations regarding changes to the existing water usage rates.

To make reports and release information from time to time, as it deems necessary, to the Town Board regarding the operation of the Water District.

To consult with the Water District subscribers and render reports to the Town Board on the needs of the subscribers and how such needs can be met.

To adopt, promulgate, amend or rescind suitable procedural rules with respect to the composition, internal organization and functioning of the board; and such other rules, regulations and procedures as may be necessary or desirable to effectuate the purposes of this section.