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HOUSE . . . . . No. 1918

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Establishing A Special Account for the Town of Billerica Water Conservation Fund..

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

SECTION 1. Notwithstanding the provisions of any general or special law, rule or regulation to the contrary, the town of Billerica is hereby authorized to establish a special account to be known as the Town of Billerica Water Conservation Fund. The purpose of such fund is to provide revenue for the funding of water management and conservation initiatives by the town, including the design, construction and implementation of measures to conserve water and assure the efficient operation of the town's public water supply system and public education relating to water conservation plans and programs, consistent with the Billerica water conservation policy. Such special account shall be maintained by the treasurer of the town of Billerica and may be deposited in a suitable banking institution doing business in the commonwealth or invested by the treasurer as provided herein. Expenditures from said special account shall be made subject to appropriation initiated by the board of selectmen upon the recommendation of the director of public works and the town manager of said town, and approved by a majority vote of the town meeting.

SECTION 2. Payments to such account shall be made by applicants for permits to connect to the Billerica public water supply system that are constructing or erecting new or expanded buildings or otherwise developing land for industrial, commercial and residential uses. The method and amount of such payments from said applicants or developers shall be determined by a schedule of fees to be established by the board of selectmen upon recommendation by the director of public works, as provided in the Billerica water conservation policy. Said schedule of fees shall provide the method for determining the amount of each payment from such applicants or developers based upon their anticipated water use for each type of proposed development.

SECTION 3. In addition to the aforementioned fees, monies may also be deposited into said special account from gifts, grants and donations received from public or private sources, from federal and state funding programs available to the town and from any other source authorized by law. Furthermore, appropriation may be made into said special account, from time to time, by the town of Billerica for the purposes of providing additional funds for the aforesaid water conservation and management purposes.

SECTION 4. The treasurer of the town of Billerica shall be authorized to invest monies deposited in said special account, and the interest accruing shall inure to the benefit of said special account. Said special account shall be maintained in accordance with generally accepted accounting principles, and shall be audited annually with the cost of such audit charged to said special account.

SECTION 5. The director of public works for the town of Billerica, with the approval of the town manager, may make applications for available state and federal government grants for

the design, construction, management, conservation and rehabilitation of public water supply facilities, and pledge any and all such sums for money in said account with the approval of the board of selectmen and the town meeting for any matching grants for such design, construction, management, conservation and rehabilitation activities.

SECTION 6. The town accountant shall file jointly with the board of selectmen, the town manager, the treasurer, the finance committee and the bureau of accounts, a written report relative to such special account authorized herein by this act. Said report shall be made within 120 days following closure of the books of account for each fiscal year. Such report shall include a financial statement relating to the operation, maintenance and expenditures made under said the special account. The board of selectmen may review and comment on said report and file such review with the state auditor.