

SENATE No. 3087

The Commonwealth of Massachusetts

PRESENTED BY:

Michael F. Rush

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the creation of a sewer and water advisory board in the town of Walpole.

PETITION OF:

NAME:

Michael F. Rush

DISTRICT/ADDRESS:

Norfolk and Suffolk

SENATE No. 3087

By Mr. Rush, a petition (accompanied by bill, Senate, No. 3087) of Michael F. Rush (by vote of the town) for legislation relative to the creation of a sewer and water advisory board in the town of Walpole. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to the creation of a sewer and water advisory board in the town of Walpole.

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

1 SECTION 1. The charter of the town of Walpole as on file with the archivist of the
2 commonwealth in accordance with section 12 of chapter 43B of the Massachusetts general laws
3 is hereby amended by deleting section 3-8 of article III in its entirety and renumbering the
4 remaining sections of said article III accordingly.

5 SECTION 2. Said charter is hereby further amended by inserting in subsection (B) of
6 section 3-2 of article III the following new subsection:

7 (9) Sewer and Water. The select board shall have exclusive charge and control of the
8 installation and maintenance of the sewers, sewage treatment plants and appurtenances, and of
9 the water department and water system, and all of the powers reasonably necessary to effectuate
10 same. The select board may from time to time adopt reasonable rules and regulations in
11 connection therewith.

12 The select board shall have all the powers and duties given to sewer and water
13 commissioners under the constitution and general laws of the commonwealth, including
14 authority to set water and sewer rates, and such additional powers and duties as may be
15 authorized by this charter, by-law or other vote of the representative town meeting. The select
16 board shall assign all work and maintenance projects to the town administrator or the town
17 administrator's designee.

18 SECTION 3. Said charter is hereby further amended by inserting a new section 7-9 in
19 article VII of said charter, as follows:

20 Sewer and Water Advisory Board

21 (A) Composition: Term of Office. There shall be a sewer and water advisory board
22 consisting of 5 members appointed for 3 year overlapping terms so arranged that the terms of
23 office of not more than 2 members shall expire each year. Two members shall be appointed by
24 the select board, 2 by the finance committee and 1 by the moderator. A vacancy arising in the
25 office shall be filled by the appropriate appointing authority for the remainder of the unexpired
26 term.

27 (B) Powers and Duties. The sewer and water advisory board shall advise the select board
28 on policy and fiscal matters relative to the provision of municipal sewer system and water system
29 services as needed, including annual budgets and sewer and water rates, rather than on technical
30 or operational matters, and on such other matters involving the sewer system and water system as
31 may be requested by the select board or town administrator.

32 SECTION 4. On the effective date of this act, the terms of the elected incumbent
33 members of the sewer and water commission shall be terminated and the office abolished;

34 provided, however, that the members of the sewer and water commission then in office shall be
35 the initial members of the sewer and water advisory board created in accordance with section 3
36 of this act and shall serve in such capacity for a period equal to the remainder of their respective
37 elected terms or sooner vacating of office. Each vacancy arising thereafter shall be filled for the
38 remainder of the unexpired term, if applicable, and otherwise for a 3 year term, with the first 2
39 vacancies to be filled by the select board, the second 2 by the finance committee, and the third by
40 the moderator.

41 SECTION 5. This act shall take effect upon its passage. Or do or act anything in relation
42 thereto.