

**BOLTON LAKES REGIONAL WATER
POLLUTION CONTROL AUTHORITY
(BLRWPCA)
BY-LAWS**

**Article I
Name**

The name of the authority shall be the Bolton Lakes Regional Water Pollution Control Authority or BLRWPCA as set forth in the enacting ordinance "An Ordinance Creating the Bolton Lakes Regional Water Pollution Control Authority."

**Article II
Objective**

The purpose of the authority shall be to protect the groundwater and the long-term environmental health and safety of property owners and residents in the Regional Watershed, as well as to protect the quality of Bolton Lakes by constructing, maintaining and operating a Regional Sewerage System.

**Article III
Membership**

Section 1 – The BLRWPCA shall be composed of the Town of Bolton and Town of Vernon, which by ordinance of their respective legislative bodies, have formed the Authority. The jurisdiction of the BLRWPCA shall be as set forth in the enacting ordinance "An Ordinance Creating the Bolton Lakes Regional Water Pollution Control Authority."

Section 2 – The BLRWPCA shall have a Board of Directors consisting of eight Directors and three Alternate Directors as set forth in the enacting ordinance "An Ordinance Creating the Bolton Lakes Regional Water Pollution Control Authority."

**Article IV
Board of Directors**

Section 1 – Membership – The Town of Bolton and Town of Vernon shall appoint directors and alternates as set forth in the enacting ordinance "An Ordinance Creating the Bolton Lakes Regional Water Pollution Control Authority."

Section 2 – Duties of the Board – The Board may make and promulgate reasonable rules and regulations governing the administration and conduct of its affairs within the Authority not to conflict with law. The BLRWPCA shall have all the powers set forth in CGS s22a-501, as amended. The powers of the Board shall include, but are not limited to, the following enumerated powers:

To sue or be sued; to make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the Authority; to make and from time to time amend and repeal by-laws, rules and regulations; and to have whatever other powers are necessary to properly carry out their powers as an independent entity of government. The Board functions as the general policy making body for the Authority and has overall budget adoption authority. The Board has direct administrative authority over the daily operations of the Authority.

Section 3 – Officers – The Board at its January meeting shall elect a Chairperson, Vice Chairperson, and Secretary/Treasurer.

Section 4 – Meetings – The Board shall meet at least quarterly or at other times determined by the Chairperson. Notice of the meetings shall conform to the requirements of the Freedom of Information Act.

Section 5 – Minutes and Meeting Notices – The Board shall transmit all meeting agenda and minutes of each meeting to the respective Town Clerk's Offices.

Section 6 – Quorum – For an eight member Board, a quorum is five Board members present at a duly constituted meeting. In no event shall a quorum be established without at least one member from each town being in attendance.

Section 7 – Attendance – Each Board member will earnestly try to attend all meetings of the Board. In the event of the continued absence of a member, the Board will contact the appointing municipality with its concerns. The appointing municipality shall have the power to request that the member resign and another member shall be appointed.

Section 8 – Conflict of Interest – In the event that an apparent or real conflict of interest exists, the member will disqualify him/herself from discussion or voting on the issue.

Article V

Standing Committees

Section 1 – Personnel Committee (if staff is hired) – The Personnel Committee will be appointed by the Chairperson and will include at least three members, including the Chairperson. The committee is empowered to consult with non-members for advice and recommendations as the need arises. The committee will meet at least yearly to study and recommend changes in policies, position and salary ranges. The committee will present recommendations on all personnel policies and practices to the Board for approval.

Section 2 – Finance Committee – The Finance Committee will be appointed by the Chairperson and consist of at least three (3) members, including the Chairperson. The committee is empowered to consult with non-members as needed. The Finance Committee will prepare and present the budget to the Authority at a special budget meeting held prior to April 1 of each year.

Section 3 – Executive Committee – The Authority may elect by a majority vote an executive committee, consisting of at least three (3) members that shall include the Chairperson, Vice Chair and Treasurer. The BLRWPCA Administrator shall serve without a vote. The committee is empowered to consult with non-members as needed. Meetings may be held as necessary and called by the Chairperson. Only when necessary because of time constraints, this committee is empowered to act in the interim between sessions of the full Authority. Activities and actions taken by the Executive Committee shall be reported to the Authority membership prior to the next regularly scheduled Authority meeting. The full Authority shall have the authority, upon a majority vote, to reverse or modify any action or decision made by the Executive Committee. The Executive Committee may serve as either the Personnel Committee or the Finance Committee or both, if authorized by a majority vote of the full Authority.

Article VI BLRWPCA Administrator

Section 1 – Qualifications – General knowledge of municipal sewerage systems and administrative procedures in the operation of municipal sewerage distribution system.

Section 2 – Duties – Provide all administrative and oversight functions of the authority and act on behalf of and at the direction of the Board of Directors.

Section 3 – Appointment – The Board, by majority vote, shall appoint some discreet person, possessing the qualifications specified in Section 1 of this article to be Administrator of the BLRWPCA. The Board may appoint a person to serve as the acting Administrator during such a time as the Administrator is absent or a vacancy exists, providing such acting Administrator shall meet the qualifications as an Administrator in Section 1 of this article.

Section 4 – Removal – The Administrator may be removed by a majority vote of the Board.

Article VII Finances

Section 1 – Fiscal Years – The fiscal year of the Authority shall be from July 1 to June 30, inclusive.

Section 2 – Annual Budget – The Annual Budget shall be implemented upon completion of the project initial construction and completion of connections to the system (estimated to be within five years after construction completed). Until that time, the Towns shall contribute directly to costs which may or may not continue after initial start of the Authority's budget process. Towns in conjunction with the benefit assessments will remain responsible for the initial Clean Water Fund debt. Prior to January 1 of each year, the Authority shall estimate the amount of money required to pay the costs and expenses of the Authority during the ensuing year. A cash flow analysis for the budget year, indicating a plan for receipt of cash matching proposed expenditures, shall accompany the budget. Before February 1 of each year, the Authority may hold a public hearing on

its proposed budget, two weeks' notice of which shall be given in a newspaper having a circulation in each constituent municipality.

Section 3 – For an eight member Board of Directors, the annual budget must be approved by six votes. At least one affirmative vote must be cast by each town represented in the Authority.

Section 4 – Budget Amendments – The Board may amend a legally adopted budget without holding a public hearing, provided that the proposed amendment changes the legally adopted budget by less than fifteen percent. The Administrator may make necessary line item changes in the operating portion of the budget without Board approval, providing the total operation portion of the budget does not increase.

The Administrator must obtain the Board's approval for transferring money from reserve or depreciation accounts to any other part of the budget. The budget change must be brought to the attention of the Board at its next regularly scheduled meeting.

Section 5 – Audit – The Board shall require an annual audit of the finances of the BLRWPCA and the Board shall select the auditor.

Section 6 – Borrowing – The Board shall have the power to issue bonds and notes in accordance with state statute and the adopted ordinance "An Ordinance Regarding Bond and Financing Obligations of the Bolton Lakes Regional Water Pollution Control Authority and Its Constituent Municipalities of Bolton and Vernon."

Section 7 – Bonding – The Board shall purchase bonds with a surety company authorized to transact business in the state, for the faithful performance of the duties of Treasurer in such sum and upon such conditions as the Board requires.

Section 8 – Insurances – The BLRWPCA shall purchase the following insurances depending on if staff is hired: Professional Liability, Auto Liability, General Liability, Public Officials Liability and Workers' Compensation. The Board shall determine the appropriate levels of insurance based on staffing with input from outside sources.

Section 9 – Fiscal Agent – The Town of Vernon shall act as the Collection Agents and the Town of Bolton shall serve as Fiscal Agents for the BLRWPCA.

Article VIII Amendments

Amendments to the by-laws of the BLRWPCA shall be made only at a regularly scheduled meeting. Notice of the proposed changes shall be included in the notice of meeting at which the amendments will be considered. For an eight member Board of Directors, amendments must be approved by six affirmative votes. At least one affirmative vote must be cast by each town represented in the Authority.

Approved December 7, 2005