

**Robert D. Cox Jr.**  
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December 23, 2014

**Via Electronic Filing**

Ms. Eurika Durr  
Clerk of the Board  
U.S. Environmental Protection Agency  
Environmental Appeals Board  
1201 Constitution Avenue, NW  
U.S. EPA East Building, Room 3334  
Washington, DC 20004

**Re: Charles River Pollution Control District, NPDES Appeal No. 14-01  
NPDES Permit No. MA 0102598**

Dear Ms. Durr:

Enclosed please find for electronic filing the Petitioners, Upper Blackstone Water Pollution Abatement District and the Towns of Bellingham, Franklin, Millis, and Medway's letter in response to the Board's December 11, 2014 Order Requesting Additional Information, which was provided to you by e-mail and mailed by first class mail yesterday, December 22, 2014, and Certificate of Service dated today in connection with NPDES Appeal No. 14-01.

Respectfully Submitted,



Robert D. Cox, Jr.  
Counsel for Petitioners, Upper Blackstone Water  
Pollution Abatement District and the Towns of  
Bellingham, Franklin, Millis, and Medway,  
Massachusetts

RDCjr:igm  
Enclosures

cc: Samir Bukhari, U.S. Environmental Protection Agency, Region 1  
National Association of Clean Water Agencies

## **CERTIFICATE OF SERVICE**

I hereby certify that copies of the Petitioners, Upper Blackstone Water Pollution Abatement District and the Towns of Bellingham, Franklin, Millis, and Medway's letter in response to the Board's December 11, 2014 Order Requesting Additional Information, in the matter of Charles River Pollution Control District, NPDES Appeal No. 14-01, were served on the following persons in the manner indicated:

By E-Mail and First Class Mail on December 22, 2014 and By Electronic Filing on December 23, 2014:

Ms. Eurika Durr  
Clerk of the Board  
U.S. Environmental Protection Agency  
Environmental Appeals Board  
1201 Constitution Avenue, NW  
U.S. EPA East Building, Room 3334  
Washington, DC 20004

By Electronic Mail on December 22, 2014 and U.S. Mail and Electronic Mail on December 23, 2014:

Samir Bukhari  
U.S. Environmental Protection Agency  
Office of Regional Counsel, Region I  
5 Post Office Square – Suite 100  
Mail Code: ORA 18-1  
Boston, MA 02109-3912

By U.S. Mail and Electronic Mail on December 23, 2014:

Fredric P. Andes  
Tammy L. Helminski  
BARNES & THORNBURG LLP  
One North Wacker Drive, Suite 4400  
Chicago, Illinois 60606  
Phone: (312) 214-8310  
Fax: (312) 759-5646

By U.S. Mail and Electronic Mail on December 23, 2014:

Nathan Gardner-Andrews  
Amanda Waters  
NATIONAL ASSOCIATION OF CLEAN  
WATER AGENCIES  
1816 Jefferson Place, NW  
Washington, D.C. 20036-2505  
Phone: (202) 833-3692

Dated: December 23, 2014

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Robert D. Cox, Jr.

Robert D. Cox Jr.  
Direct telephone: 508-926-3409  
Direct facsimile: 508-929-3012  
Email: rcox@bowditch.com

December 22, 2014

**Via E-mail and First Class Mail**

Ms. Eurika Durr  
Clerk of the Board  
U.S. Environmental Protection Agency  
Environmental Appeals Board  
1201 Constitution Avenue, NW  
U.S. EPA East Building, Room 3334  
Washington, DC 20004

***Re: Charles River Pollution Control District, NPDES Appeal No. 14-01***

Dear Ms. Durr:

On December 11, 2014, the Environmental Appeals Board ("Board") issued an Order Requesting Additional Information. From the Petitioners, the Board requests information "regarding the Towns' representation on the Charles River Pollution Control District commission, including a listing of the towns that have representatives on the commissions, the length of the representatives' terms, and a brief description of the authorities and duties of the representatives with respect to the District's affairs." In response, the Petitioners provide the following:

The Charles River Pollution Control District ("District") is a body politic and corporate established pursuant to chapter 21 of the Massachusetts General Laws (M.G.L.). (M.G.L. c. 21 may be accessed here <https://malegislature.gov/laws/generallaws/parti/titleii/chapter21> and a copy of relevant sections of M.G.L. c. 21 is attached at Exhibit A). By vote of the Towns of Franklin and Medway in March 1973, the District was established. (Copies of Town votes are found at Region 1 Response to Petition for Review, Exhibit 2).

The District's governance is set by M.G.L. c. 21. Each district has a commission, known as the district commission. M.G.L. c. 21, § 29. The district commission consists of at least two members from each town selected by the town's board of selectmen. *Id.* All commissioners serve three-year terms or until a successor is selected. *Id.* The commissioners select their chairman on a yearly basis. *Id.*

The District's Commission consists of five members: three commissioners are appointed by the Town of Franklin; two are appointed by the Town of Medway. The current Franklin commissioners are Mr. Gene Guidi, Mr. Alfred H. Wahlers, and Mr. William J. Goode, Jr., and from Medway, Mr. Paul DeSimone and Mr. Douglas M. Downing. The current chairman is Mr. Douglas M. Downing. In June 2004, the commissioners from Franklin were Mr. Gene Guidi, Mr. Alfred H. Wahlers, and Mr. Albert Brunelli, and from Medway, Mr. Paul DeSimone and Mr. Douglas M. Downing. Neither the Town of Millis nor the Town of Bellingham has representation on the District Commission.

The District is directed by M.G.L. c. 21, § 29 to "employ a registered professional engineer who shall be the executive director of the district" and who "shall be the executive and administrative head of the district." The executive director, may, with the approval of the district commission, employ such other persons as the director shall deem necessary. *Id.* The current Executive Director of the District is Elizabeth Taglieri, P.E. In June 2004, the Executive Director of the District was Robert D. McRae, P.E.

The powers of the district commission are set by M.G.L. c. 21, § 30. The district commission may, among other things, enter into contracts; incur expenses in order to carry out its purposes; issue bonds and notes; acquire, dispose of and encumber real and personal property; manage, control and supervise abatement facilities; construct, acquire, improve and maintain and operate abatement facilities; and apply for, accept and receive financial assistance from the federal government and from the State; and shall provide revenue to carry out the purposes of the district. *Id.* In addition, a district commission may act by a majority vote of the full commission, and adopt by-laws and regulations for the conduct of its affairs. *Id.* The District has adopted by-laws for the conduct of its affairs. A copy of the District's by-laws is attached at Exhibit B.

The District manages, controls and supervises an abatement facility. Through separate Agreements for Wastewater Treatment Services, the District treats and disposes of wastewater collected and delivered to the District's treatment facility by sewer systems owned by the Towns of Franklin, Millis, Medway, and Bellingham. Pursuant to the Agreements for Wastewater Treatment Services, Franklin, Medway, Millis and Bellingham are assessed capital, operation and maintenance costs based on an approved budget. An assessment and payment schedule is provided by the District to the Town Administrators and they distribute and raise money as necessary.

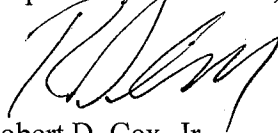
In addition to its Agreements for Wastewater Treatment Services with the Town of Franklin, Millis, Medway, and Bellingham, the District has separate Agreements for Wastewater Treatment Services with three other towns for the disposal of septage delivered to the District's treatment facility and accepts septage for disposal from four additional towns.

In June 2004, the District submitted an application for permit reissuance of NPDES Permit No. MA 0102598, the permit that is the subject of this appeal to the Board. The District's renewal application was prepared and signed by then District Executive Director, Robert D. McRae, P.E.. (Attached as Exhibit B to Petitioners' Petition for Review). According to Mr. McRae, he prepared the application for permit reissuance for the District as part his executive and administrative duties for the District, and solely on behalf of the District. Mr. McRae did not sign for or on behalf of any individual

Town. The District's Executive Director was only authorized to sign the application for permit reissuance for the applicant, the owner and operator of the facility and permittee, the District (see District's June 2, 2014 NPDES Form 2A Application, page 9 of 21, attached as Exhibit B to Petitioners' Petition for Review), and had no authority to submit any application for or on behalf of the individual towns or their separately owned sewer collection systems.

If the Board is in need of any additional information, I would be pleased to provide it.

Respectfully Submitted,



Robert D. Cox, Jr.  
Counsel for Petitioners, Upper Blackstone Water  
Pollution Abatement District and the Towns of  
Bellingham, Franklin, Millis, and Medway,  
Massachusetts

RDCjr:igm  
Enclosures

cc: Samir Bukhari, U.S. Environmental Protection Agency, Region 1  
Charles River Pollution Control District

## **EXHIBIT A**

**PART I** ADMINISTRATION OF THE GOVERNMENT**TITLE II** EXECUTIVE AND ADMINISTRATIVE OFFICERS  
OF THE COMMONWEALTH**CHAPTER 21** DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**Section 26A** Definitions applicable to Secs. 26 to 53

Section 26A. Unless the context otherwise requires, when used in sections twenty-six to fifty-three, inclusive, the following words shall have the following meanings:

"Abatement facilities", facilities for the purpose of treating, neutralizing, or stabilizing sewage and such industrial and other wastes as are disposed of by means of the facilities, including treatment or disposal plants, the necessary intercepting, outfall and outlet sewers, pumping stations integral to such facilities and sewers, equipment and furnishings thereof and their appurtenances.

"Board", the board of certification of operators of wastewater treatment facilities.

"Collection system", each and all of the common lateral sewers and appurtenances of publicly owned treatment works which are primarily installed to receive wastewaters from individual structures or from private property, and which include service connection "Y" fittings and service connections within the boundary of the public way or easement.

"Commissioner", the commissioner of the department of environmental protection, or his authorized designee.

"Director", the director of the division of water pollution control, or his authorized delegate or representative.

"District", a district created pursuant to section twenty-eight.

"District commission", the governing body of a district.

"Effluent limitation", a requirement, established under state or federal law, specifying the maximum permissible quantity or concentration of any pollutant that may be present in discharges, or their maximum permissible hydraulic flow, over designated periods of time, to waters of the commonwealth or to a public sewerage system.

"FWPCA", the Federal Water Pollution Control Act, 33 U.S.C. §§ 1251 et sequens, as amended.



"Person", any agency or political subdivision of the commonwealth, public or private corporation or authority, individual, partnership or association, or other entity, including any officer of a public or private agency or organization, upon whom a duty may be imposed by or pursuant to any provision of sections twenty-six to fifty-three, inclusive.

"Pollutant", any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter, in whatever form and whether originating at a point or major nonpoint source, which is or may be discharged, drained or otherwise introduced into any sewerage system, treatment works or waters of the commonwealth.

"Priority list", the ranking, in terms of priority, of projects eligible for funding during a given planning period, which has been established pursuant to the priority system.

"Priority system", the methodology for rating and ranking projects eligible for grant assistance under sections thirty A and thirty-three of this chapter and for establishing priority lists for those projects.

"Public entity", any city, town, special district, or other existing governmental unit eligible to receive a grant for the construction of treatment works from the United States Environmental Protection Agency pursuant to Title II of the FWPCA, as amended.

"Treatment works" and "facilities", any and all devices, processes and properties, real or personal, used in the collection, pumping, transmission, storage, treatment, disposal, recycling, reclamation or reuse of waterborne pollutants.

"Waters" and "waters of the commonwealth", all waters within the jurisdiction of the commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, coastal waters and groundwaters.



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**PART I** ADMINISTRATION OF THE GOVERNMENT**TITLE II** EXECUTIVE AND ADMINISTRATIVE OFFICERS  
OF THE COMMONWEALTH**CHAPTER 21** DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**Section 28** Water pollution abatement districts; establishment; dissolution; enlargement or consolidation

Section 28. (a) The division is hereby authorized, with the approval of the water resources commission, to propose water pollution abatement districts consisting of one or more cities or towns, or designated parts thereof, for the purposes set forth in section thirty. The district so proposed shall be deemed to be established after approval by the city or town, or designated parts thereof, proposed for inclusion in the district or upon the mandatory formation of the district in accordance with the provisions of subsection (b).

(b) Within ninety days of receipt by any city council of a proposal by the division, approved by the commission, that a water pollution abatement district which includes such city be established, said city council shall consider said proposal and indicate its approval or disapproval by voting by yeas and nays upon a question in substantially the following form: —“Shall there be established a water pollution abatement district as recommended by the division of water pollution control and approved by the water resources commission, to include the city (cities) of (herein name of city or cities so proposed for inclusion) and the town (towns) of (herein name of town or towns proposed for inclusion in part) and the construction, acquisition, extension, improvement, maintenance and operation of a system of water pollution abatement facilities by the said district in accordance with the provisions of chapter twenty-one of the General Laws?” Within ninety days of receipt by the selectmen of any town of a proposal by the division, approved by the commission, that a water pollution abatement district which includes such town or a part of such town be established, said selectmen shall cause to be presented for determination by vote, with printed ballots at an annual town meeting or a special town meeting called for the purpose, the question of approving said proposal, which question shall be in substantially the form set forth above. If the proposed district includes a part or parts of a town, the said selectmen shall call a special meeting for the purpose of approving the proposal at which only registered voters resident in that part or parts of the town proposed to be included in the district may vote. The warrant for such meeting shall be signed by at least a majority of the selectmen of the town and be posted in not less than two public places in said part or parts of the town at least seven days before the day of the meeting and the moderator of the town shall preside at such meeting and the town clerk shall keep the records thereof. Whenever within said ninety days each city and town or part thereof proposed for inclusion in said district shall have indicated its

approval of the proposed district by vote in the affirmative on said question in the manner described in this subsection, the district shall be deemed to be established.

In the event that the city or town or designated parts thereof proposed by the division for inclusion in a district fails to vote in the affirmative on said question within the ninety day period, the director shall order a hearing under the provisions of chapter thirty A. Upon completion of said hearing, the director may, upon finding that the creation of said district is necessary for the prompt and efficient abatement of water pollution, and with the approval of the water resources commission, declare the mandatory formation of the district.

(c) An established district may be dissolved only by act of the general court. The division, with the approval of the commission, may from time to time propose the enlargement of a district or the consolidation of two or more districts, subject to approval by the general court or approval in the manner provided in subsection (b).

In the event that the enlargement or consolidation involves a district formed mandatorily as provided in subsection (b), the director shall order a hearing under the provisions of chapter thirty A. Upon completion of the hearing, the director may, upon finding that the formation of said district is necessary for the prompt and efficient abatement of water pollution, and with the approval of the water resources commission, declare the enlargement or consolidation on the part of such district.

(d) If the division deems water pollution abatement necessary, but the benefits of such abatement are likely to be increased, or its costs to the commonwealth reduced by joint action with another state or states contiguous to the commonwealth, it shall report said fact to the water resources commission which shall consult with the appropriate agency of such other state or states on such matters and shall make recommendations to the general court in relation thereto.

(e) The provisions of subsections (b) and (c) of this section, of sections twenty-nine, thirty, thirty-two, thirty-five and thirty-six shall apply only to a district or district commission created pursuant to this section, and to any city, town or portion thereof which is a member of such district.

**PART I** ADMINISTRATION OF THE GOVERNMENT**TITLE II** EXECUTIVE AND ADMINISTRATIVE OFFICERS  
OF THE COMMONWEALTH**CHAPTER 21** DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**Section 29** Status of district; district commission; membership; executive director; treasurer; personnel

Section 29. Each district shall be a body politic and corporate and shall have a commission to be known as the district commission.

Except as provided in the following paragraph, the district commission shall consist of two members from each town included in whole or in part in the district selected by the board of selectmen of such town and two members from each city included in the district selected by the city council. If only part of a town is included in the district, at least one of the two members so selected shall, unless impracticable, be a resident in the part so included; provided, however, that whenever a town or city has a population exceeding twenty thousand persons resident within such district, the board of selectmen or the mayor, but in the case of the city having a Plan D or Plan E charter the city manager, shall, if the resident population does not exceed fifty thousand persons, designate one additional person, or, if it exceeds fifty thousand persons, two additional persons, to serve as members of the district commission.

In the event of the formation of a mandatory district, the district commission shall consist of three members appointed by the director, with the approval of the water resources commission.

Each member of the commission shall be sworn and shall serve for three years or until his successor is selected and qualified.

The district commission shall employ a registered professional engineer who shall be the executive director of the district, and a person with accounting and financial experience who shall be the treasurer of the district, and shall fix their respective salaries. Said director shall be the executive and administrative head of the district, and the treasurer shall give a bond for the faithful performance of his duties in an amount required by the director.

The executive director may, with the approval of the district commission, employ such other persons as he shall deem necessary, and such persons shall be subject to the provisions of chapter thirty-one.



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**PART I** ADMINISTRATION OF THE GOVERNMENT**TITLE II** EXECUTIVE AND ADMINISTRATIVE OFFICERS  
OF THE COMMONWEALTH**CHAPTER 21** DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**Section 30** Powers of district commission

Section 30. A district commission (1) may act by a majority vote of the full commission, (2) shall adopt by-laws and regulations for the conduct of its affairs, (3) shall adopt a name and a corporate seal, (4) may sue and be sued, (5) may enter into contracts, (6) may incur expenses in order to carry out its purposes, (7) may issue bonds and notes as hereinafter provided, (8) may acquire, dispose of and encumber real and personal property for the purposes of the district, (9) may manage, control and supervise abatement facilities, (10) may construct, acquire, improve and maintain and operate abatement facilities, (11) may exercise the power of eminent domain under chapter seventy-nine, (12) shall provide revenue to carry out the purposes of the district, in accordance with sections thirty-five and thirty-six, (13) may apply for, accept and receive financial assistance from the federal government and from the commonwealth.

**PART I** ADMINISTRATION OF THE GOVERNMENT**TITLE II** EXECUTIVE AND ADMINISTRATIVE OFFICERS  
OF THE COMMONWEALTH**CHAPTER 21** DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**Section 35** General obligation serial bonds or notes; temporary notes; indebtedness

Section 35. The district by vote of the commissioners is authorized to issue, from time to time, general obligation serial bonds or notes of the district to pay for its share of the costs of capital outlay required in connection with the project or projects contained in an approved plan, in such amount or amounts as the district commissioners may determine and as may be approved by the division, and may refund any such serial bonds or notes. Such serial bonds or notes may be callable with or without premium, shall contain such terms and conditions, bear such rate or rates of interest, be sold in such manner, at public or private sale, and mature at such times and in such amounts as the commissioners shall determine; provided, however, that each issue of such bonds or notes shall be payable in annual installments, the first of which shall be payable not later than three years after its date and the last of which shall be payable not later than thirty years from said date.

If the district votes to issue serial bonds or notes, the commissioners may authorize the issuance, in the name of the district, of general obligation temporary notes for a period of not more than two years in anticipation of the money to be received from the sale of such serial bonds or notes; but the time within which such serial notes or bonds shall become payable shall not be extended by reason of the making of such temporary loans beyond the time fixed in the vote authorizing such serial bonds or notes.

The district by vote of the commissioners is authorized to issue, from time to time, general obligation temporary notes of the district in anticipation of assessments and other revenues of the district of the year in which such notes are issued. Temporary notes in anticipation of assessments or other revenues shall be payable not more than one year from their dates. If at any time any principal or interest is due or about to become due on any bond or note issued by a district and funds to pay the same are not available, the district may temporarily borrow money and issue temporary general obligation notes of the district, payable not more than one year from their dates, to pay such principal and interest.

Temporary notes issued under this section for a shorter period than the maximum permitted may be renewed by the issuance of other temporary notes maturing within the required period; provided, that the period from the date of issue of the original temporary note to the date of maturity of the renewal note shall not exceed the maximum period for which the

original temporary note may have been issued. Such temporary notes or renewal notes may be sold at discount or with interest payable at or at and before maturity.

Notes or bonds authorized by this section shall be signed by the treasurer and countersigned by the executive director of the district and serial notes and bonds shall have the district seal affixed. Sections sixteen B and sixteen C of chapter forty-four shall be applicable to such bonds and notes.

Indebtedness incurred under this section shall not be included in computing the limit of indebtedness of any city or town any portion of which is included in a district.

**PART I** ADMINISTRATION OF THE GOVERNMENT**TITLE II** EXECUTIVE AND ADMINISTRATIVE OFFICERS  
OF THE COMMONWEALTH**CHAPTER 21** DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

**Section 36** Amounts necessary for payment of bonds and notes and maintenance of district; determination; apportionment of costs; schedule of charges

Section 36. The district commission shall annually determine the amounts required for the payment of principal and interest on such bonds and notes issued or to be issued by the district which will be due during the ensuing calendar year and shall apportion the amounts so determined among the several cities and towns or parts thereof in the district in accordance with the provisions of the plan approved under section thirty-two. The district commission shall also annually determine the amounts necessary to be raised to maintain and operate the district during the said year, for capital outlay items the cost of which is not to be funded, and for all other matters for which the district is required to raise money, and if and to the extent said plan so requires shall apportion among the several cities and towns or parts thereof the amounts so determined in accordance with the provisions of the said plan reduced by the amounts of revenues of funds which are available or are to be received by the district during said year and are applicable to costs of maintenance and operations. Each amount so apportioned for each city or town or portion thereof shall prior to December thirty-first, in each year, be certified by the district commission to the assessors of each city and town included in whole or in part in the district. The assessors of each such city and town shall without further vote include each amount so certified in those amounts to be annually raised by taxes under section twenty-three of chapter fifty-nine; provided, however, that in the event only a part of a town is within the district, the assessors shall assess a tax to the amounts so certified only on the property within such part. The respective city or town treasurers shall pay the amounts so certified to the treasurer of the district in four substantially equal payments, to be made on or before the first day of March, June, September and December.

A city or town in a district may raise all or a portion of the amounts certified annually by the district to the assessors of such cities and towns as provided in the preceding paragraph, through equitable and proportional charges against inhabitants, corporations, and other users for the services rendered by the district in each such city or town. For the purpose of establishing an equitable and proportional schedule or reasonable charges, the property benefited by the services of the district may be classified taking into consideration the volume of water, including surface or drain waters, the character of the sewage or industrial or other wastes, and the nature of the use made of the sewerage system, including the facilities. The



charges may include standby charges to property not connected but for which the district's facilities have been made available.

The schedule thus established may be modified in accordance with the plan and as may be necessary to raise the amounts required by the district. The failure of such user charges to raise the amounts required by the district in any year shall not relieve any city or town from its obligation to provide the amounts assessed by the district hereunder.

If a city or town fails to pay the district commission the apportioned amount, the commissioner of corporations and taxation is authorized and directed to pay to the district commission such amounts from the city's or town's share of monies distributed by the commonwealth on an annual basis.

## **EXHIBIT B**

## EXHIBIT B

### CHARLES RIVER POLLUTION CONTROL DISTRICT

#### BY-LAWS

#### ARTICLE I.

#### GENERAL PROVISIONS

- Section 1. The District shall be known as the Charles River Pollution Control District. It shall have a corporate seal bearing the name of the District. The District Commission is that Commission established pursuant to the provisions of Massachusetts General Laws, Chapter 21, Sections 29 and 30, as amended.
- Section 2. These by-laws may be known and cited as the by-laws of the Charles River Pollution Control District.
- Section 3. These by-laws may be altered, amended or repealed at any District meeting by a majority vote of those present and voting, an article for such purpose having been inserted in the agenda for such meeting.
- Section 4. These by-laws shall remain in full force and effect until duly altered, amended, or repealed by vote of the District.
- Section 5. The invalidity of any article or section of these by-laws shall not invalidate any other article or section thereof.
- Section 6. These by-laws shall take effect upon adoption by the District Commissioners.
- Section 7. The Commission shall appoint legal counsel and a Treasurer. The Treasurer shall have accounting and financial experience. The respective salaries shall be fixed by the Commission.
- Section 8. All purchases of equipment, supplies and materials, the actual estimate of cost which amounts to \$2,000.00 or more, except in cases of special emergency involving the health or safety of people or their property, shall be made only after the bidding procedure as outlined in Chapter 40, Section 4A of the General Laws has been followed. All such purchases that are in excess of \$300.00, but less than \$2,000.00 shall be made after a minimum of three quotes have been obtained when feasible.

ARTICLE II.

DISTRICT MEETINGS

- Section 1. The meetings of the Commissioners of the Charles River Pollution Control District shall be held in any adequate place within the district designated by the Board of Commissioners.
- Section 2. The Chairman shall call the meeting to order. At any meeting at which the office of Chairman is vacant or at which the Elected Chairman is absent, the Vice-Chairman shall call the meeting to order and preside until a Chairman is elected or chosen, as the case may be.
- Section 3. Copies of the agenda for each district meeting shall be posted in a public place in each of the Towns of Franklin and Medway, within the district, at least twenty-four hours prior to the meeting.
- Section 4. The quorum for the transaction of business at District meetings shall be three (3) Commissioners.
- Section 5. In all procedural matters, the district meeting shall follow the latest revised edition of DEMETER'S Manual of Parliamentary Law and Procedures, except as otherwise provided by law or these by-laws.
- Section 6. The Annual Meeting of the Charles River Pollution Control District Commission shall be held on the day of the regular meeting during the month of May each year, at a time and place to be announced in a notice of such meeting. The purpose for which the Annual Meeting is to be held, in addition to those prescribed by law, these by-laws and the notice of the Annual Meeting, shall be to elect officers.
- Section 7. The regular meeting of the Commission shall be rescheduled for each month provided, however, that any regular meeting may be omitted by the unanimous consent of the Commissioners. Notice of the meeting shall be mailed to each Commissioner and any such other persons as the Commission may, from time to time, designate, at least forty-eight (48) hours in advance of the meeting.

Section 8. Special meetings of the Charles River Pollution Control District may be held at such time and place as designated in the notice of such meeting as requested by the Chairman or any of two (2) Commissioners.

ARTICLE III.

ELECTIONS

Section 1. The officers of this District shall consist of a Chairman, Vice-Chairman and Clerk, all of whom shall be Commissioners.

Section 2. The Chairman, Vice-Chairman and Clerk shall be elected annually by the Commission at its annual meeting.

Section 3. The Chairman, Vice-Chairman and Clerk shall hold their office until the Commission's annual meeting and thereafter until their respective successor is elected.

Section 4. Any vacancy in any office may be filled by the Commission in accordance with the terms of these by-laws.

ARTICLE IV.

DUTIES OF OFFICERS

Section 1. The Chairman shall have general control and supervision of the business of the Commission and pursuant thereto shall, when present, preside at all meetings of the Commission and at public meetings. He shall sign all contracts, deeds and other instruments made by or on behalf of the Commission.

Section 2. The Vice-Chairman shall preside at all meetings of the Commission at which the Chairman is not present. He may also act in the place of the Chairman when so authorized by the Chairman.

Section 3. The Secretary shall keep, or cause to be kept, minutes of all meetings of the Commission. After the minutes are accepted, the Secretary shall maintain a file of the said minutes.

Given under our hands and seals this 16<sup>th</sup> day of February

in the year One Thousand Nine-Hundred and Seventy-eight.

John J. MacCall  
John C. Drongowski

Paul J. DeStefano  
Norman C. Rustano

Commissioners of the Charles River  
Pollution Control District