

approved

TR-2014-29

**A RESOLUTION APPROVING WATER USE RATES FIXED BY
THE DEPARTMENT OF PUBLIC WORKS**

WHEREAS, it is in the interest of the public health, welfare, and safety of the inhabitants of the Town of Agawam to improve the capabilities of the water distribution system; and,

WHEREAS, environmental and health concerns have necessitated the implementation of requirements for water quality testing and public education; and

WHEREAS, §175-9 of the Code of the Town of Agawam requires that income from the water works be used to defray all operating expenses and interest and principal payments on bonds; and

WHEREAS, §175-9 of the Code of the Town of Agawam further requires that the Department of Public Works fix just and equitable prices and rates for the use of water subject to the approval the Council; and,

WHEREAS, the contract with the Springfield Water and Sewer Commission for the purchase of water requires Agawam to conform with the Water Management Act Renewal Registration Statement issued by the Massachusetts Department of Environmental Protection and the Performance Standards for Residential Water Use established therein; and,

WHEREAS, the Performance Standards for Residential Water Use requires us to comply with the 65 residential gallons per capita per day standard as soon as feasible; and,

WHEREAS, the water system modeling by Tighe and Bond Consulting Engineers has demonstrated that improvements to our distribution system are necessary to provide water to our citizens during maintenance and repair of Springfield Transmission Mains that supply our water and the Town has implemented water distribution system improvements by installing a 24 inch transmission main;

WHEREAS, the Springfield Water and Sewer Commission has initiated the replacement of the lower transmission main and a proportionate amount of the costs will be allocated to the Town of Agawam;

NOW, THEREFORE, BE IT RESOLVED:

That the Agawam City Council in accordance with §175-9 of the Code of the Town of Agawam hereby approves the following rates for water use:

Effective with the issuance of bills based on meter readings taken on or after September 1, 2014:

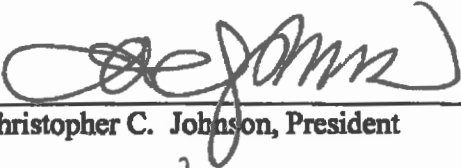
- A. For residential users a charge of \$1.90 per hundred cubic feet for the first 4,000 cubic feet in a six month billing cycle and a charge of \$2.38 per hundred cubic feet for water use over 4,000 cubic feet in a six month billing cycle.
- B. For all other class of user, including residential irrigation accounts, a charge of

\$2.38 per hundred cubic feet of water usage.

- C. An account service charge of \$70.00 per year with the amount to be billed each billing period to be in inverse proportion to the number of billing periods per year. Each meter used to record water usage shall be subject to an account service charge.
- D. Elderly citizens that own and occupy single family homes that qualify for clause 18 or clause 41C property tax exemptions will be able to receive 1000 cubic feet of water usage per year at no charge to be allocated equally between billing periods. Those elderly citizens that own and occupy single family homes and that qualify for clause 17D property tax exemption will be able to receive 400 cubic feet of water usage per year at no charge to be allocated equally between billing periods. These citizens must apply for said water use abatement at the office of the Department of Public Works prior to the due date of the water use bill and show proof of property tax abatement and occupancy. The Assessor's determination for the fiscal year containing January 1 shall be used for determining water use abatements for meter reading taken in the calendar year containing the same January 1.

DATED THIS 14th DAY OF July, 2014

PER ORDER OF THE AGAWAM TOWN COUNCIL



Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY



Vincent Gioscia, Solicitor

By a vote of 9 Yes, 1 No (Rheault)
and 1 Absent (Perry)

MAYORAL ACTION

Received this 15th day of July, 2014 from Council Clerk.

Signed by Council President this 14th day of July, 2014.

APPROVAL OF LEGISLATION

By the powers vested in me pursuant to Article 3, Section 3-6 of the Agawam Charter, as amended, I hereby approve the passage of the above legislation on this 15th day of July, 2014.


Richard A. Cohen, Mayor

DISAPPROVAL OF LEGISLATION

By the powers vested in me pursuant to Article 3, Section 3-6 of the Agawam Charter, as amended, I hereby veto the passage of the above legislation on this _____ day of _____, 2014 for the following reason(s):

Richard A. Cohen, Mayor

RETURN OF LEGISLATION TO COUNCIL CLERK

Returned to Council Clerk this 15th day of July, 2014.