

ADMINISTRATIVE CODE

Municipal Light Board

A. Introduction

This Administrative Code reflects the Town's position that the Concord Town Charter, a special Act of the Legislature, is to be given precedence over the Massachusetts General Laws Chapters 164 and 164a concerning municipal light plants. The Concord Town Manager ('Town Manager') serves as the General Manager of the Concord Municipal Light Plant ('Light Plant'), with authority to appoint and supervise the Light Plant Director ('Director').

The Concord Municipal Light Board ('Light Board') is responsible to the Town Manager, and has the authority and responsibility delegated to it by the Town Manager.

B. Membership

The Light Board is comprised of five members appointed by the Town Manager in accordance with Section 2 of the Concord Town Charter. Members are appointed for staggered three-year terms.

C. Duties and Responsibilities

Each member of the Municipal Light Board is responsible for attending meetings of the Light Board, Town Meetings, and other such meetings as may be necessary for fulfillment of the responsibilities of the Municipal Light Board as a whole.

The Town Manager, acting in the role of General Manager of the Light Plant, relies on the assistance of the Light Board. The Town Manager will consult with the Light Board, to the extent practical, including communications through the Light Plant staff, and will communicate with the Board of Selectmen, prior to entering into any long-term contract with significant financial ramifications for the Light Plant and prior to a commitment to purchase any goods or services of significant value other than in the ordinary course of business and as determined by the Light Board.

The Light Board shall carry out the responsibilities delegated to it by the Town Manager, as listed below:

1. provide recommendations to the Town Manager concerning the general operation and maintenance of the Light Plant;
2. formulate policy for the ongoing operation and future development of Concord's electrical supply and distribution system;
3. review the impacts of such long-term and financial commitments on the Town, the tax payers and the rate payers, and shall advise the Town Manager of all concerns, questions and recommendations in a timely manner;
4. solicit and consider comments from rate payers (the customers) of the Light Plant and tax payers (the owners) of the Town with regard to the operation of the Light Plant.

The Light Board shall pay particular attention to any conflicts which may arise between the interests of tax payers and those of rate payers, and shall take care to resolve such issues as fairly and equitably as possible;

5. review proposals for real property acquisitions and dispositions by the Town which concern the Light Plant, and make recommendations to the Town Manager, Board of Selectmen, and Town Meeting, as appropriate, concerning such transactions;
6. review the need for studies, plans, and the use of consultants or attorneys involving Light Plant operations, including those proposed by the Director, and make recommendations to the Town Manager concerning such proposals;
7. review ongoing operations regularly and suggest improvements in operations which would more efficiently utilize resources or improve service to customers;
8. review the financial statements of the Light Plant, transfers among Light Plant accounts,

- requests for appropriations, and the annual operating and capital improvements budgets of the Light Plant, as prepared by the Director, and recommend their approval to the Town Manager;
9. obtain recommendations of the Director for all schedules for the pricing of electricity and services, and evaluate, modify as necessary, and adopt such schedules. Conduct public hearings in accordance with Town practice in advance of final action on any rate changes.
 10. review the Director's recommendations concerning compliance with all relevant federal and state regulations concerning occupational safety, environmental protection, and public health and safety with respect to the activities of the Light Plant;
 11. provide recommendations to the Town Manager regarding appropriate business opportunities for the Light Plant other than the sale of electricity;
 12. submit an annual report for inclusion in the Annual Town Report;
 13. comply with the requirements of the Open Meeting Law, Public Records Law, Conflict of Interest Law, and all other regulations and laws of the Commonwealth and the Town of Concord.

D. Relationship with Staff

The Director shall have responsibility for the day-to-day operation of the Light Plant. The Town Manager is responsible for supervising all Town staff, in accordance with relevant bylaws, regulations, and personnel policies. The Light Board shall assist the Director in ensuring the effective operation of the Light Plant by providing policy guidance and recommendations.

The Director is expected to attend meetings of the Light Board, to keep the Light Board informed of general activities within the Light Plant, and to seek the Light Board's guidance concerning operation of the Light Plant.

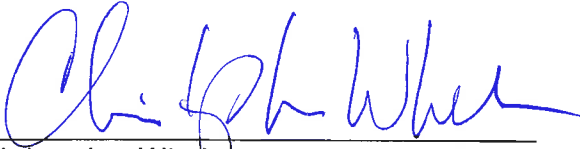
Light Plant staff is responsible for attending meetings of the Light Board, preparing minutes thereof, and serving as the official custodian of the record.

The Light Board shall provide input to the Town Manager concerning the Director's performance at the time of the annual performance evaluation for managerial staff.

Due to the unique technical, environmental, and financial character of the Light Plant and due to the critical role the Director plays in overseeing this significant asset of the Town, the selection of an appropriately skilled Director is essential to the Light Plant's effective performance of its mission. Therefore, the Town Manager agrees to consult with the Light Board prior to and during the course of selection of permanent Directors and appointment of long term temporary or acting Directors.

E. Resolution of Conflicts

Because of occasionally conflicting interests of Light Plant customers (rate payers) and inhabitants of the Town (tax payers), there may at times be differences of opinion on major policy questions between the Town Manager and Light Board. Should such differences occur, the Town Manager and Light Board agree to request the assistance of the Board of Selectmen in resolving them.



Christopher Whelan
Town Manager

ADMINISTRATIVE CODE

Municipal Light Board

A. Introduction

This Administrative Code reflects the Town's position that the "Concord Town Charter, a special Act of the Legislature," is to be given precedence over the Massachusetts General Laws Chapters 164 and 164a concerning municipal light plants. The Concord Town Manager ('Town Manager') serves as the General Manager of the Concord Municipal Light Plant ('Light Plant'), with authority to appoint and supervise the Light Plant Superintendent ('Superintendent').

The Concord Municipal Light Board ('Light Board') is responsible to the Town Manager, and has the authority and responsibility delegated to it by the Town Manager.

B. Membership

The Light Board is comprised of five members appointed by the Town Manager in accordance with Section 2 of the Concord Town Charter. Members are appointed for staggered three-year terms.

C. Duties and Responsibilities

Each member of the Municipal Light Board is responsible for attending meetings of the Light Board, Town Meetings, and other such meetings as may be necessary for fulfillment of the responsibilities of the Municipal Light Board as a whole.

The Town Manager, acting in the role of General Manager of the Light Plant, relies on the assistance of the Light Board. The Light Board shall carry out the responsibilities delegated to it by the Town Manager, as listed below:

1. provide recommendations to the Town Manager concerning the general operation and maintenance of the Light Plant;
2. formulate policy for the ongoing operation and future development of Concord's electrical supply and distribution system;
3. solicit and consider comments from rate payers (the customers) of the Light Plant and tax payers (the owners) of the Town with regard to the operation of the Light Plant;

pay particular attention to any conflicts which may arise between the interests of tax payers and those of rate payers, and shall take care to resolve such issues as fairly and equitably as possible;

4. review proposals for real property acquisitions and dispositions by the Town which concern the Light Plant, and make recommendations to the Town Manager, Board of Selectmen, and Town Meeting, as appropriate, concerning such transactions;
5. review the need for studies, plans, and the use of consultants or attorneys involving Light Plant operations, including those proposed by the Superintendent, and make recommendations to the Town Manager concerning such proposals;
6. review ongoing operations regularly and suggest improvements in operations which would more efficiently utilize resources or improve service to customers;
7. review the financial statements of the Light Plant, transfers among Light Plant accounts, requests for appropriations, and the annual operating and capital improvements budgets of the Light Plant, as prepared by the Superintendent, and recommend their approval to the Town Manager;
8. obtain recommendations of the Superintendent for all schedules for the pricing of electricity and services, and evaluate, modify as necessary, and adopt such schedules. Conduct public hearings in accordance with Town practice in advance of final action on any rate changes.
9. review the Superintendent's recommendations concerning compliance with all relevant federal and state regulations concerning occupational safety, environmental protection, and public health and safety with respect to the activities of the Light Plant;
10. provide recommendations to the Town Manager regarding appropriate business opportunities for the Light Plant other than the sale of electricity;
11. submit an annual report for inclusion in the Annual Town Report;
12. comply with the requirements of the Open Meeting Law, Public Records Law, Conflict of Interest Law, and all other regulations and laws of the Commonwealth and the Town of Concord.

D. Relationship with Staff

The Superintendent shall have responsibility for the day-to-day operation of the Light Plant. The Town Manager is responsible for supervising all Town staff, in accordance with relevant bylaws, regulations, and personnel policies. The Light Board shall assist the Superintendent in ensuring the effective operation of the Light Plant by providing policy guidance and recommendations.

The Superintendent is expected to attend meetings of the Light Board, to keep the Light Board informed of general activities within the Light Plant, and to seek the Light Board's guidance concerning operation of the Light Plant.

Light Plant staff is responsible for attending meetings of the Light Board, preparing minutes thereof, and serving as the official custodian of the record.

The Light Board shall provide input to the Town Manager concerning the Superintendent's performance at the time of the annual performance evaluation for managerial staff.


Due to the unique technical, environmental, and financial character of the Light Plant, and due to the critical role the Superintendent plays in overseeing this significant asset of the Town, the selection of an appropriately skilled Superintendent is essential to the Light Plant's effective performance of its mission. Therefore, the Town Manager agrees to consult with the Light Board prior to and during the course of selection of permanent Superintendents and appointment of long term temporary or acting Superintendents.

E. Resolution of Conflicts

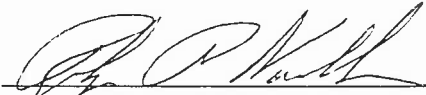
Because of occasionally conflicting interests of Light Plant customers (rate payers) and inhabitants of the Town (tax payers), there may at times be differences of opinion on major policy questions between the Town Manager and Light Board. Should such differences occur, the Town Manager and Light Board agree to request the assistance of the Board of Selectmen in resolving them.

Reviewed and approved by the Board of
Selectmen this 22nd day of September, 1998.

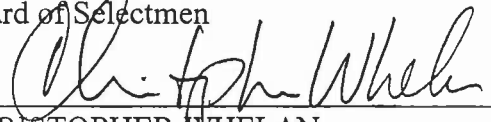
Adopted this 16th day of September, 1998
By the Municipal Light Board



SARA S. SCHMITZER, Chairman
Board of Selectmen



RODGER NORDBLOM, Chairman
Municipal Light Board



CHRISTOPHER WHELAN
Town Manager

ADMINISTRATIVE CODE

Concord Municipal Light Plant

A. Membership

The Municipal Light Board consists of five members who are appointed by the Town Manager for three year terms. Acting under the statutory responsibilities conferred by Chapters 164 and 164A of the General Laws and under the general supervision of the Town Manager, the Light Board has the overall administrative and operational responsibility for the electric supply system of the town, known as the Concord Municipal Light Plant.

B. Duties and Responsibilities of the Municipal Light Board

The Board has the following powers and duties:

1. Perform those functions delegated to it by Chapter 164 of the General Laws.
2. Provide policy guidance and make recommendations to the Town Manager and the Municipal Light Plant Superintendent regarding the construction, operation, and maintenance of the electric supply system in Town.
3. Make recommendations to the Town Manager and the Superintendent on improving the organization, operations and effectiveness of the department.
4. Make recommendations to the Town Manager on appointments to the positions of Municipal Light Plant Superintendent and Assistant Superintendent.
5. Review proposals of the Superintendent for acquisition of land and property rights necessary for the electric supply system of the town, and make recommendations to the Town Manager.
6. Review and authorize all financial statements of the Plant, transfers of Municipal Light Plant revenues, requests for appropriations, and the annual and capital improvement budgets as prepared by the Superintendent and submit them to the Town Manager with recommendations.

7. Review the capital improvement program prepared by the Superintendent under applicable directives and recommend to the Town Manager a capital improvement program for the department.
8. Review and approve in accordance with law all schedules of prices for electricity as recommended by the Superintendent and the Town Manager, and secure approval of such schedules by the Massachusetts Department of Public Utilities as required by law.
9. Review petitions for extensions and alterations of the electric supply system as submitted by the Superintendent.
10. Assist the Superintendent and the Town Manager in special studies relating to the Town's electric supply system.
11. Be familiar with private, state and federal programs relating to the responsibilities of the department, and with proposed governmental actions which may affect the responsibilities of the department, and keep the Town Manager and the Municipal Light Plant Superintendent advised accordingly.
12. Serve as the Town's liaison with other governmental units and institutions in matters relating to electric supply services.
13. Submit an Annual Report for incorporation in the Annual Town Report.