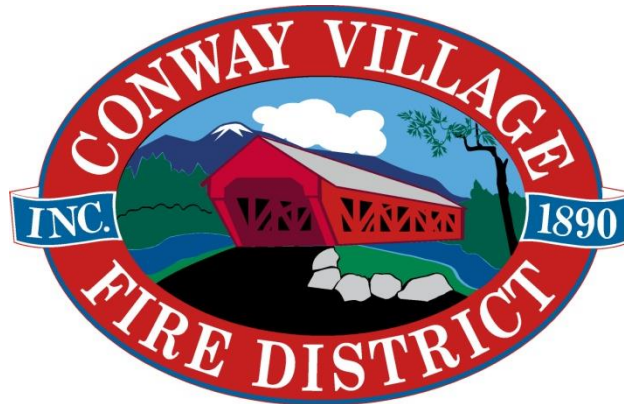


CONWAY VILLAGE FIRE DISTRICT  
CONWAY, NEW HAMPSHIRE



**RULES AND REGULATIONS**

**GENERAL DISTRICT**

Adopted 8/28/2018

Revised 7/18/2019 – Addendum 1 – Fraud Prevention

Revised 11/14/2019 – Addendum 2 – Accounts Payable Policy (adopted)

Revised 10/29/2020 – Addendum 3 – Abatement Policy other than sewer usage (adopted)

Revised 3/25/2021 – Revision - Accounts Payable Policy

Revised 4/22/2021 – Revision – Park Use Policy

## Contents

Article I.	Overview .....	1
Article II.	Authority .....	2
Article III.	Definitions .....	2
Article IV.	Validity .....	3
Article V.	Revisions to Rules and Regulations .....	3
Article VI.	Protection from Damage.....	3
Article VII.	Penalties .....	3
A.	Written Notice of Violation Required.....	3
B.	Penalty Stated.....	4
C.	Liability for Damage Stated.....	4
Article VIII.	Expansion Moratorium .....	4
Article IX.	Commissioners' Meetings .....	4
A.	Public Notices .....	4
B.	Appointments.....	4
Article X.	Administration .....	5
A.	Office Hours and Coverage.....	5
B.	Press Releases .....	5
C.	Posting of open positions .....	5
Article XI.	Use of District Facilities .....	5
A.	SOG #105.....	5
B.	Park Regulations .....	6
Article XII.	Abatements .....	6
A.	Ambulance Abatements .....	6
B.	Sewer Usage Abatements.....	7
Article XIII.	Legal Fee Expenditures .....	8
Article XIV.	Fiscal Policies .....	8
A.	Cash Receipts.....	8
B.	Credit Cards .....	10
C.	Investment Policy.....	10
D.	Fund Balance .....	11
Article XV.	Boundary Adjustments .....	12
Article XVI.	Rules and Regulations Signature Page .....	13

ADDENDUMS.....	14
1. Fraud Prevention Policy.....	15
2. Accounts Payable Policy .....	18
3. Abatement Policy Other than Sewer Usage Abatemed.....	19
APPENDECES.....	20
A. Request for Use of Facilities	
B. Sewer Usage Abatement Request	

**CONWAY VILLAGE FIRE DISTRICT**  
**Conway, New Hampshire**  
**General District**

**Article I. Overview**

The Conway Village Fire District is a District subdivision of the municipal government of the Town of Conway. It is directly overseen on an annual basis by a Board of Commissioners, one of which is elected each year at the annual meeting of the registered voters of the Conway Village Fire District. The boundaries of the District lie within the Valley of the Saco River. Its boundaries include a portion of the Town of Albany, New Hampshire as well as part of the Town of Conway, New Hampshire. There are also a number of water customers outside of the district boundaries in the Town of Albany, New Hampshire and one water customer in the Town of Madison, New Hampshire. The Conway Village Fire District is a multifaceted precinct that supports a Fire/Rescue Department, Ambulance Service, Water Department, and Wastewater Department. Revenues are raised annually by taxation through the municipal government of the Town of Conway for the Fire Department and General District operations; water rents and revenues, and sewer rents and revenues for the water and sewer departments respectively-

By virtue of the powers of the Board of Commissioners of the Conway Village Fire District, a District located in, but not exclusive to a portion of the Town of Conway, hereby establishes the following Rules and Regulations for the operations of the Conway Village Fire District. It is not the intent of the Commission to promulgate any regulations that would supersede or be contrary to any of the Revised Statutes Annotated of the State of New Hampshire as they might apply. Should such a situation present itself, the Board of Commissioners, by a majority vote, will determine how it shall respond.

## Article II. Authority

- A. Whereas RSA 52:1 authorizes the establishment of a Village District for the purpose of (among others)
1. Extinguishment of fires
  2. The supply of water for domestic and fire purposes, which may include the protection of sources of supply
  3. The construction of common sewers
  4. The construction, operation, and maintenance of sewage and waste treatment plants
  5. The construction, maintenance, and care of parks or commons
  6. The maintenance of ambulance service
- B. Whereas on February 20, 1907 “An Act to Legalize the Organization of the Conway Village Fire District and Confer upon it Certain Powers” was passed by the Secretary of State of the State of New Hampshire.
- C. Whereas RSA 52:3 and 52:8 grant the Commissioners (as well as the Treasurer, Moderator, and Clerk) the same power, duties and responsibilities as the selectmen (Treasurer, Moderator, and Clerk) of the town for the purposes described above.
- D. Therefore these Rules and Regulations are adopted on this 30<sup>th</sup> day of August 2018 by the Commissioners of the Conway Village Fire District.

## Article III. Definitions

“Administrative Building” shall mean 128 West Main Street, Conway, NH

“Applicant” shall mean any person requesting approval to discharge industrial or domestic wastewaters into facilities of the District.

“CVFD” shall mean Conway Village Fire District.

“District” refers to Conway Village Fire District and its overall authority under RSA 52, its elected officials, its jurisdictional boundaries, its facilities, its office, and its employees and representatives.

“Facilities” shall include all buildings, structures, equipment and conduits.

“Fire Chief” shall mean the individual employed by the District who has direct responsibility for the operation of the Fire Department.

“Fire Department” shall mean the fire, rescue and ambulance service of the District and all its employees.

“Fire Station” shall mean 97 Main Street, Conway, NH

“Improved Property” shall mean any property located within the District, upon which there is erected a structure intended for continuous or periodic habitation, occupancy or use by human beings or animals.

“Owner” shall mean any person vested with ownership, legal or equitable, sole or partial, or possession of any improved property.

“Person” as defined in RSA 485:1-a XIII, namely “any individual, partnership, company, public or private corporation, political subdivision or agency of the State, Department, Agency or instrumentality of the United States or any other legal entity.

“Shall” is mandatory; MAY is permissive.

“Superintendent” shall mean the individual employed by the District who has direct responsibility for the routine maintenance and operation of the Water and Sewer Departments.

*For more definitions, refer to the Water and Sewer Rules and Regulations sections*

#### **Article IV. Validity**

All rules and regulations or parts of rules and regulations in conflict herewith are hereby repealed.

The invalidity of any section, clause, sentence, or provision of these Rules and Regulations shall not affect the validity of any other part of these Rules and Regulations which can be given effect without such invalid part or parts.

These Rules and Regulations shall be in full force and effect from and after their passage, approval, recording, and publication as provided by law.

#### **Article V. Revisions to Rules and Regulations**

The District reserves the right to adopt from time to time additional rules and regulations as it shall deem necessary and proper, which to the extent appropriate, shall be a part of these Rules and Regulations.

#### **Article VI. Protection from Damage**

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, equipment or facility, which is owned by the District. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

#### **Article VII. Penalties**

##### **A. Written Notice of Violation Required**

Any person found to be violating any provision of these Rules and Regulations shall be served by the District with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The Offender shall, within the period of time stated in such notice, permanently cease all violations.

## **B. Penalty Stated**

Any person who shall continue any violation beyond the time limit provided for in Section 1 above shall be guilty of a misdemeanor and upon conviction thereof, shall be fined in an amount not exceeding one thousand dollars (\$1,000.00) for each violation. Each day in which such violation shall continue shall be deemed a separate violation.

## **C. Liability for Damage Stated**

Any person violating any of the provisions of these Rules and Regulations shall become liable to the District for any expenses, loss, or damage occasioned the District by reason of such violation. The expense, loss, or damage shall be taken to be to the extent determined by a competent registered professional to be chosen by the District.

## **Article VIII. Expansion Moratorium**

When, in the majority opinion of the Commissioners it is felt that for the general well-being of the inhabitants of the District, or to comply with the existing State Statutes as they apply, the Commissioners may impose an expansion moratorium on the water and/or sewer system of private property or industrial, commercial, or subdivisions that are presently or proposed to be connected to the Water Distribution or Sewer Collection systems of the District. This moratorium may be lifted at any time by a majority vote of the Commissioners.

## **Article IX. Commissioners' Meetings**

CVFD meetings are open to the public, subject to the provisions of RSA 91-A. For full narrative of RSA 91-A refer to the website of the General Court at <http://www.gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-VI-91-A.htm>.

### **A. Public Notices**

CVFD shall place Commissioners' meeting notices and all other meeting notices at The District Office at 128 West Main Street, Conway, NH, and on the web site – [www.cvillagefd.com](http://www.cvillagefd.com)., and when appropriate to do so, at the CVFD Fire Station located at 97 Main St. Conway, NH, the Conway Public Library located at 15 Greenwood Avenue, Conway, NH and in the *Conway Daily Sun* newspaper. Each meeting will be posted with the time and location the Commissioners' meeting will be held and will thusly be posted if the meeting is canceled.

All notices regarding District Projects and anything else deemed pertinent shall be placed at the said locations and in the *Conway Daily Sun*.

### **B. Appointments**

Any member of the public can schedule an appointment to meet with the Commissioners by contacting the Administrative office at (603)-447-5470.

## Article X. Administration

### **A. Office Hours and Coverage**

It shall be the policy of this District that normal business hours of the Administrative office will be Monday through Friday 7:30 a.m. to 3:30 excluding observed holidays.

### **B. Press Releases**

It shall be the policy of this District that Press Releases shall be the responsibility of the Board of Commissioners, the Superintendent, and the Fire Chief only.

### **C. Posting of open positions**

It shall be the policy of this District to post open positions in-house for five (5) days at both the Fire Station and the Administrative Office prior to public posting. If no qualified candidate is identified from the in-house posting, open positions shall be posted publicly and may be posted in the local paper, on District websites, in trade publications and websites, and/or other locations deemed appropriate and for a period of time determined necessary by the Fire Chief, Superintendent, and/or the Board of Commissioners.

## Article XI. Use of District Facilities

It shall be the policy of this District to allow use of the Fire Department EMS Training Room and Pequawket Park by entities that are not departments of the Conway Village Fire District after a Request For Use of Facilities application (Appendix A) has been completed and approved by the Board of Commissioners.

Use of the EMS Training Room will be per the Fire Department's Standard Operating Guide (SOG)#105. Use of Pequawket Park will be per Park Regulations

### **A. SOG #105**

**Objective:** To alleviate the overuse of the Fire Department's EMS Training Room.

**Applicability:** Anyone wishing to use the EMS Training Room.

#### **105.1 Purpose**

105.1.1 The primary purpose of the Fire Department EMS Training Room is to provide a location for meetings and training for the various departments of the Conway Village Fire District.

105.1.2 When it does not interfere with the primary purpose, the EMS Training Room is usable by outside agencies that can show benefit to the residents of the Conway Village Fire District who graciously built this facility.

#### **105.2 Use by outside agencies**

105.2.1 Application. Outside agencies wishing to use the Fire Department EMS training room must fill out the Request form shown in Appendix A.

105.2.2 Outside agencies wishing to use the EMS Training Room must be approved by the Conway Village Fire District Board of Commissioners and be listed in

105.2.3 The Commissioners will approve an outside agency based on their general purpose and the benefit to the people of the Conway Village Fire District.

105.2.4 Once approved, an agency may book the use of the room through the Fire Chief.

105.2.5 An outside agency need only be approved by the Board of Commissioners once. After that they need only see the Fire Chief to use the room.



### **105.3 Prioritizing Use**

105.3.1 The Fire Chief shall have discretion in prioritizing use of the room when there is a conflict.

105.3.2 Priority shall generally be given in the following order: Meetings of the Conway Village legislative body, Fire Department meetings/training, Other CVFD departments, outside agencies.

### **105.4 Usage**

105.4.1 Outside agencies using the Fire Station EMS training room have use of that room and the first floor rest rooms.

105.4.2 No other area of the building is usable by outside agencies with the following two exceptions.

105.4.2.1 Second Floor Meeting Room and second floor radios: Useable by the Town Of Conway EOC personnel.

105.4.2.2 Agencies listed in 105.4.2.1 have use of the second-floor restrooms.

105.4.3 Times. The room is to be used no earlier than 07:00 AM and no later than 10:00 PM by outside agencies.

105.4.4 Fees: As use of the room will be restricted to those agencies that have shown a benefit to the residents of the Conway Village Fire District, no fee will be charged for use.

### **105.5 Uses Prohibited**

105.5.1 Use of the EMS meeting room is not allowed for private parties or functions.

105.5.2 Alcoholic beverages are not allowed on Fire Department property

105.5.3 No Tobacco products are allowed on Fire Department property.

## **B. Park Regulations**

All uses of Pequawket Park must abide by the following park use regulations in order to comply with the use agreement signed by the Conway Village Fire District Board of Commissioners.

1. All use of the park must be approved by the Board of Commissioners
2. Any water or electrical service must be requested at the time of application
3. A plan must be submitted with the location of any tents at the time of application. (No stakes or other equipment may be driven into the ground in the park)
4. No motor vehicles may be driven on any of the grass areas of the park
5. All trash and other debris must be removed from the Conway Village Fire District Property at the end of the event.
6. Any events must be inspected by the Conway Fire Department for compliance prior to the opening of the event.
7. Any damage to the park is the responsibility of the applicant; all expenses to make repairs will be borne by the applicant
8. A certificate of insurance, naming Conway Village Fire District as an additionally insured, must be provided at the time of application
9. Events with attendance of 25 or more, applicant will need to provide a Port-A-Potty for the event and to have it removed afterwards.

## **Article XII. Abatements**

### **A. Ambulance Abatements**

It shall be the policy of this District that the Conway Village Fire District Commissioners will consider abatement of an ambulance bill in one of the following circumstances:

- a. When the contracted billing service has exhausted their attempts to obtain payment.
- b. Upon receipt of a completed hardship abatement application.
- c. Upon the request of the Fire Chief

1. Consideration of Abatement of Ambulance Bills from Residents: The following items are commonly abated for residents of Conway and Albany NH when an abatement request has been received as above.
  - a. Medicare Co-pays not covered by secondary insurance: 100%
  - b. Medicare Replacement Policy Co-pays: 100%
  - c. Patients showing household income under 150% of the federal poverty level: 100%
  - d. Employees and immediate family of CVFD Employees: 100%
2. Consideration of Abatement of Ambulance Bills for non-residents: The following items are commonly abated for those who are neither residents of the Town of Conway nor Town of Albany when an abatement request has been received as above.
  - a. Patients showing household income under 150% of the federal poverty level: Case by Case
  - b. Employees and immediate family of CVFD Employees: 100%
3. Rationale
  - a. Conway and Albany Residents contribute tax monies in support of the ambulance and are entitled to greater forgiveness of ambulance expenses not covered by insurance.
  - b. Non Residents are expected to pay their bill however; the Commissioners will consider abatements for those submitting hardship abatement requests.
  - c. Employees of the Conway Village Fire District are either paid on call firefighter/EMS employees helping keep costs down by being on call employees or full time employees covered by the District's health insurance policy.
4. Disposition of remaining unpaid bills. Unpaid bills received as per above that are not abated or 'written off' are forwarded to the District's contracted collection agency for further attempts to collect the unpaid bills.

## **B. Sewer Usage Abatements**

It shall be the policy of this District to abate sewer usage for customers who suffer an extreme leak that causes an excessive amount of water to flow through their meter but that in no way enters the District sewer system.

- 1) The District will not abate water usage, only the sewer usage portion of the bill
- 2) Customer must complete the abatement request form with all pertinent information (Appendix B).
- 3) Customer must provide sufficient proof that no water has entered the District sewer system. This proof may include but is not limited to: photographs of effected area prior to correction of the problem, an affidavit from a certified plumber that there was a problem that they fixed, or confirmation from a District employee who witnessed the problem. A customer's word will not be considered without this proof.
- 4) Abatements will be calculated by comparing the usage of the current bill with the usage of the bill from the same quarter of the previous year. The difference will be divided by 1000 and then multiplied by the current sewer rate.
- 5) The Board of Commissioners, at a regular scheduled posted meeting, will determine whether an abatement is in order. Customers have the right to appeal the Board's decision at a regular scheduled posted meeting. The Board's decision of an appeal is final.

- 6) Only one abatement will be granted for a particular problem. Failing to correct a problem in an expedient manner is not cause for an abatement. Only the Board of Commissioners can determine if a problem will encompass more than one quarter.
- 7) Filling of swimming pools, hot tubs, irrigation, or any other planned excessive usage is not cause for an abatement.
- 8) No abatements will be granted if an insurance claim is submitted and the excess usage is paid by the insurance company. Customer will be responsible for the full amount of the bill.

Planned excessive use is defined as any usage that is not of normal everyday water use i.e., filling of a swimming pool or hot tub, irrigating a lawn or garden, running sprinklers, or neglecting to fix a problem once identified.

If a customer plans on using excessive amounts of water, they should plan on one to following prior to the usage.

- A) If the excessive usage is a recurring event, i.e., filling of a pool or irrigation, a deduct meter should be purchased from the District. This meter will need to be installed by a plumber to the spigot being used. The District will read this meter during the quarterly meter reads and it will deduct the amount of water passing through it from the sewer usage charge of the bill.
- B) If the excessive usage is a onetime event or a short-term need, the customer should contact the Water/Sewer Department (603-447-5470) to discuss options for purchasing water.

### **Article XIII. Legal Fee Expenditures**

Due to the cost associated with retaining legal services it will be the policy of the District to start with the services already available prior to retaining private services.

- A. New Hampshire Municipal Association's Legal Department will be one of the first to contact if appropriate. *Telephone: 603-224-7447*
- B. The insurance provider for liability will be the other first contact if appropriate. At the time of this revision, PRIMEX is this provider. *Telephone: 603-225-2841*
- C. No legal fee shall be expended without approval of the Board of Commissioners.

### **Article XIV. Fiscal Policies**

#### **A. Cash Receipts**

It shall be the policy of the District to establish procedures for the collection and deposit of District monies collected by its departments.

As required by RSA 41:29 I the Treasurer maintains custody of all funds except those funds held by the Trustees of Trust Funds of the Town of Conway.

All deposits will be made by the Treasurer or his/her designee.

Monies will be deposited no less than once a week; daily whenever funds remitted from all departments collectively totals \$1,500.00 or more.

All deposits will be recorded in bookkeeping system by the Bookkeeper or his/her designee.

A cash drawer consisting of \$75 will be kept at the front desk for the purpose of making change and shall be returned to the safe nightly.

All registers recording deposits shall be printed out and have bank deposit slips attached prior to filing.

All monies collected but not deposited will be locked in the safe at the close of business until the next business day.

#### Water/Sewer Payments

Per District policy, all water and sewer payments must be received at the District office.

The employee assigned to the front desk will collect all payments from customers; will collect the bottom portion of the bill, mark it as "Paid," and record date, amount of payment and type of payment on it including check number.

All payments will immediately, or as soon after as practicable, be entered into the customer's account.

At the time of deposit, the front desk person will total all payments and verify it with the reconciliation in the utility program which will then be verified by the Bookkeeper who will enter deposit into bookkeeping system and will then, as Treasurer's Designee, make the deposit.

#### All Other Deposits

Fire/Ambulance Department: Any monies to be deposited for the fire department shall be turned over to the Bookkeeper immediately. If the Fire Chief, or his designee, is not present at time of receipt, a copy of the check will be placed in Chief's mail receptacle. In the event payment is in cash, a copy of all supporting documentation or a note stating from whom it was received and why will be placed in the Chief's mail receptacle.

If supporting documentation is available, it shall be marked as "Paid," with the date and type of payment including check number.

Water/Sewer payments other than bill payments: All monies collected for other services including, but not limited to, service calls, sale of inventory, and credit memos from closings shall be taken by the employee at the front desk. If the payment is from a customer, the payment will be entered into their account. If the payment is from a non-customer, the payment along with supporting documentation shall be turned over to the Bookkeeper immediately for recording and deposit.

All collections for non-bill payments shall be accompanied by supporting documentation marked as "Paid," with the date and type of payment including check number.

Miscellaneous payments: All miscellaneous monies collected shall be turned over to the Bookkeeper immediately for recording and deposit along with any supporting documentation.

Returned Checks: First time returned checks will be re-deposited in a separate deposit with no entry into the billing system. The bank deposit slip will be attached to the original deposit paper work. All associated NSF fees will be charged to customer's account.

Whenever a check returned for NSF cannot be re-deposited, the amount of the check will be charged back to customer's account against the billing period in which it was originally posted along with all associated fees. The customer will be notified by phone or in writing, and must replace the payment with another form of payment, i.e. cash, credit card, money order, or bank certified check. Neither checks nor ACH will be accepted from repeat offenders. Only Credit Card, Money Order, cash, or Certified Check will be an acceptable form of payment. A repeat offender is anyone who has a check or ACH returned more than 2 times in a two year period.

## **B. Credit Cards**

It shall be the policy of the District to protect all customers' credit card information that is used to pay water/sewer bills both at the window and on-line.

The District shall not nor does store any credit card account information physically or electronically other than the merchant receipts from the EPSON printer that only displays the last four digits of any credit card so no threat to account information is eminent.

1. Every employee that handles customer credit card information shall read, understand, sign and comply with this policy.
2. An employee's failure to comply with the standards and policies set forth in this document may result in disciplinary action up to and including termination of employment and perhaps criminal and/or civil penalties.
3. All sensitive information must be stored and disposed of in a secure manner when no longer needed for business reasons.
  - All credit card receipts from window or over the phone transactions (printed from EPSON printer) must be shredded after the retention period expires (RSA 33-A:3-II).
  - On EPSON printed receipts, all but the last 4 numbers of the credit card account number must be masked (i.e. - \*\*\*\*\*) or redacted on the merchant copy of the receipt.
  - It is prohibited to store the contents of the credit card magnetic stripe (track data) on any media whatsoever. This includes in customers' account in the Utility Billing data base.
  - It is prohibited to store the card-validation code (3 or 4 digit value printed on the signature panel of the card) on any media whatsoever.
4. Credit card numbers must never be e-mailed to or from the customer.
5. No employee should have access to credit card account numbers unless they have a specific job function that requires such access.
6. All third parties with access to credit card account numbers are contractually obligated to comply with card association security standards (PCI/DSS)
  - At the time of adoption of this policy, third parties include InterWare Development and Heartland but NOT BMSI.

## **C. Investment Policy**

It shall be the policy of the District to comply with RSA 41:9 VII, which requires the Board of Commissioners to annually review and adopt an investment policy for the investment of public funds, and to provide a framework for the Treasurer.

All funds will be deposited in either a checking or savings account with a federally insured bank chartered under the laws of New Hampshire or the federal government with a branch within the

state as per RSA 41:29 with the exception of funds voted on during Annual Meeting to be deposited into Trust Funds.

The Collateralization Agreement for funds deposited in the above mentioned bank that is not with the Trustees of the Trust Fund will be reviewed annually in January to insure proper insurance of District Funds.

## **TRUST FUNDS**

All funds voted on during Annual Meeting to be deposited into Trust Funds shall be turned over to the Town of Conway Trustees of the Trust Funds no later than November 30.

### **D. Fund Balance**

The Board recognizes that the maintenance of a fund balance is essential to the preservation of the financial integrity of the District and is fiscally advantageous for both the District and the taxpayer. This policy establishes goals and provides guidance concerning the desired level of fund balance maintained by the District to mitigate financial risk that can occur from unforeseen revenue fluctuations, unanticipated expenditures, and similar circumstances.

#### **Definitions**

Fund balance is a measurement of available financial resources and is the difference between total assets and total liabilities in each fund.

GASB Statement 54 distinguishes fund balance classified based on the relative strength of the constraints that control the purposes for which specified amounts can be spent. Beginning with the most restrictive constraints, fund balance amounts will be reported in the following categories:

- 1) **Nonspendable fund balance** – amounts that are not in a spendable form (e.g., inventory) or are legally or contractually required to be maintained intact (e.g., permanent fund principal).
- 2) **Restricted fund balance** – amounts that can be spent only for the specific purposes stipulated by external parties either constitutionally or through enabling legislation (e.g., grants or donations).
- 3) **Committed fund balance** – amounts that can be used only for the specific purposes determined by a formal action of the Board of Commissioners. Commitments may be changed or lifted only by referring to the formal action that imposed the constraint originally (e.g., the board's commitment in connection with future construction projects).
- 4) **Assigned fund balance** – amounts *intended* to be used by the government for specific purposes. Intent can be expressed by the Board of Commissioners or by a designee to whom the governing body delegates the authority. In governmental funds other than the general fund, assigned fund balance represents the amount that is not restricted or committed. This indicates that resources in other governmental funds are, at a minimum, intended to be used for the purpose of that fund.
- 5) **Unassigned fund balance** – includes all amounts not contained in other classifications and is the residual classification of the general fund only. Unassigned amounts are available for any legal purpose.

The responsibility for designating funds to specific classifications shall be as follows:

**Committed Fund Balance** – The Board of Commissioners is the District’s highest level of decision-making authority, and the formal action that is required to be taken to establish, modify, or rescind a fund balance commitment is a resolution approved by the Board.

**Assigned Fund Balance** – The Board of Commissioners has authorized the Superintendent and the Fire Chief as officials authorized to assign fund balance to a specific purpose as approved by this fund balance policy.

***Minimum Unassigned Fund Balance***

It is the goal of the District to achieve and maintain an unassigned fund balance in the General Fund at fiscal yearend of not less than 15% of the previous year’s expenditures. If the unassigned fund balance at fiscal yearend falls below the goal, the District shall develop a restoration plan to achieve and maintain the minimum fund balance.

***Order of Expenditure of Funds***

When multiple categories of fund balance are available for expenditure (e.g., a project is being funded partly by a grant, funds set aside by the Board, and unassigned fund balance), the District will start with the most restricted category and spend those funds first before moving down to the next category with available funds.

**Article XV.     Boundary Adjustments**

Boundary adjustments may be initiated by the Commissioners to expand or reduce the District if such an adjustment is deemed beneficial to the District. Boundary adjustments may be requested by property owners outside of District boundaries who wish to connect to District sewer. Boundary adjustments from property owners outside of the District shall be requested in the form of a petition to the Commissioners of Conway Village Fire District.

Per RSA 52:5 The Commissioners, on behalf of the District, shall petition the Selectman of the Town of Conway for said boundary adjustment. Upon a vote of the majority of the Selectman to approve the boundary adjustment, after notification to all interested parties and a duly noted public hearing, the voters of the District, at a duly noted Annual Meeting or Special Meeting, shall ratify the boundary adjustment. If said boundary adjust is outside of the Town of Conway, the Selectman of the town in which the boundary adjustment is requested shall also be petitioned in the same manner as the Selectman of the Town of Conway.

When a boundary adjustment is requested, all costs associated with adjustment shall be borne by the petitioner.

Article XVI. Rules and Regulations Signature Page

ENACTMENT


District Rules and Regulations

These Rules and Regulations shall be in full force and effect as an ordinance regulating General District operations within the District from and after their passage, approval, recording, and publication as provided by law.

Duly enacted and Ordained this 30<sup>th</sup> day of August, 2018 by the Commissioners of the Conway Village Fire District in Carroll County, State of New Hampshire, at a duly noticed and duly held session of the said Commissioners.

Conway Village Fire District  
Conway, NH

By:

  
\_\_\_\_\_  
Commissioner Steve Bamsey, Chairperson

  
\_\_\_\_\_  
Commissioner Tom Buco

  
\_\_\_\_\_  
Commissioner Mike Digregorio



## **ADDENDUMS**

Addendum 1 – Fraud Prevention Policy

Addendum 2 – Accounts Payable Policy

Addendum 3 – Abatement Policy Other than Sewer Usage Abatements

**ADDENDUM 1**  
**TO THE GENERAL DISTRICT RULES AND REGULATIONS**  
**CONWAY VILLAGE FIRE DISTRICT**  
**FRAUD PREVENTION POLICY**

The Board of Commissioners of the Conway Village Fire District is responsible for investigating and attempting to detect any defalcation, misappropriation, and other financial irregularities. Each member of the District management team should be familiar with the types of improprieties that might occur within his or her area of responsibility and be alert for any indication of irregularity.

Any irregularity that is detected or suspected must be reported immediately to the Board of Commissioners, who coordinates all investigations with any affected area, both internal and external, and legal counsel.

**Policy Scope**

The conditions of this policy apply to any irregularity, or suspected irregularity, involving not only company employees, but also vendors, outside agencies doing business with employees of such agencies, customers, and/or unknown parties. Any investigative activity that may be required will be conducted without regard to the suspected wrongdoer's length of service, position, title or relationship in or with CVFD.

**Actions Constituting Fraud**

The terms defalcation, misappropriation, and other fiscal irregularities refer to, but are not limited to:

1. Any dishonest or fraudulent act.
2. Forgery or alteration of any document or account belonging to the District.
3. Forgery or alteration of a check, bank draft, or any other financial document.
4. Misappropriation of funds, securities, supplies or other assets.
5. Impropriety in the handling or reporting of money or financial transactions.
6. Profiteering as a result of insider knowledge of District activities.
7. Disclosing to other persons the activities engaged in or contemplated by the District except as made known through authorized disclosures to the general public.
8. Accepting anything of material value from vendors or persons providing services or material to the District (exception: a perishable gift such as candy or flowers of less than \$50.00 in value intended for general use or benefit of employees as a section or group).
9. Destruction or disappearance of records, furniture, fixtures or equipment and/or any similar or related irregularity.

**Non-fraud Irregularities**

Identification or allegations of all suspected non-fraud improprieties or irregularities whether moral, ethical or behavioral, should be directed to the department supervisor as per section G of the Personnel Manual. If there is a question as to whether an action constitutes fraud, contact the Board of Commissioners for guidance.

**Investigation Responsibilities**

The Board of Commissioners has the primary responsibility for the investigation of alleged financial misconduct. If the investigation reveals fraudulent activities have occurred, the Board will issue a report if

appropriate. Decisions to prosecute or turn matters over to appropriate law enforcement and/or regulatory agencies for independent investigation will be made in conjunction with legal counsel and the Board of Commissioners.

### **Confidentiality**

All information provided to the Board of Commissioners pertaining to suspected dishonest fraudulent activity will be handled in strict confidence. Any individual who suspects dishonest or fraudulent activity should contact a Board member immediately and, under no circumstances, should that individual attempt to conduct a personal investigation or interview him/her. Nor should any individual divulge any suspected fraudulent activity to anyone except the Board.

The results of investigations conducted by Internal Audit will not be disclosed or discussed with anyone other than those persons who have a legitimate need to know in order to perform their assigned duties.

Adherence to this policy is mandatory in order to prevent damage to the reputation of persons initially deemed suspect but are subsequently found innocent of wrongful conduct and to protect the District from potential civil liability.

### **Authorization for Investigating Suspected Fraud**

When the Board of Commissioners believes it to be in the District's best interest, members of the Board have the authority and duty, after consulting with appropriate legal counsel to:

1. Take control of and/or gain full access to all District premises owned or rented , and
2. Examine, photocopy, and/or remove all or any portion of the contents of files, desks, cabinets, and other storage facilities on the premises without prior knowledge or consent of any individual who may use or have custody of any such items or facilities.

### **Reporting Procedure**

Care must be taken in the investigation of suspected improprieties or irregularities in order to avoid false accusations or alerting suspected individuals that an investigation is underway. An employee who discovers or suspects fraudulent activity should immediately contact a member of the Board of Commissioners. All inquiries from the suspected individual and/or his/her legal representative should be directed to the full Board.

The reporting employee must adhere to the following restrictions:

1. Do not contact the suspected individual in an effort to determine the facts or demand restitution
2. Do not discuss the case, facts, suspicions, or allegations with anyone unless specifically asked to do so by the Board and only after the Board has consulted with legal counsel.

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**Termination**

If an investigation results in a recommendation to terminate an employee, the recommendation will be reviewed for approval by the Board of Commissioners and, if necessary, outside counsel before any such action is taken.

**Administration**

The Conway Village Fire District Superintendant and Fire Chief in conjunction with the Board of Commissioners are responsible for the administration, interpretation, and application of this policy.

  
Steve Barnsey, Chairman

  
Tom Bucu, Commissioner

  
Michael Digregorio, Commissioner

Approved: 7/18/2019

**ADDENDUM 2**  
**TO THE GENRAL DISTRICT RULES AND REGULATIONS**  
**ACCOUNTS PAYABLE POLICY**

It shall be the policy of the District to establish procedures for the disbursement of District monies expended by its departments.

The purpose of this Accounts Payable policy is to ensure that all District funds are disbursed and recorded in accordance with Generally Accepted Accounting Principles (GAAP). The office staff is responsible for processing all invoices for payment.

- All payments for goods and services must be supported by a source document
- All checks, access to bank accounts and statements, etc. shall be secured and controlled by the business office with limited access.
- All disbursements are to be made by check, either paper or through on-line banking and are only made payable to a specific payee and are not written to “Cash” or “Bearer”.
- All invoices will be paid within the time specified on the invoice when possible to avoid late fees and take advantage of any discounts.
- Accounts Payable is performed and Manifest created on Wednesday afternoons, typically after the mail is processed. Any invoices submitted after Manifest is printed will be paid in the next Accounts Payable processing cycle the following week.
- All disbursements will be made by the finance office through the bookkeeping system, no handwritten checks will be disbursed except in emergency circumstances. Any emergency that warrants handwritten checks must be approved by the Board of Commissioners.
- All paper checks shall have two signatures, one commissioner and the treasurer.
- All statements from credit card companies must have substantiating receipts matching amount of statement in total.
- To maintain integrity of the reporting of expenditures, invoices shall be recorded in the appropriate accounting period and should not be held by Department Heads. If an invoice is paying for future goods or services, it will be booked as a pre-paid expense and will be realized in the appropriate month.
- All invoices will be stamped with date received and disbursed to the Department Heads for formal approval and are to be signed or initialed by the Department Head.
  - All expenditures for the Fire/Ambulance/Rescue Department must be approved by the Fire Chief or his designee.
  - All expenditures for the Water and Sewer Departments must be approved by the Superintendent or his designee
  - Department Heads will code each invoice with the appropriate general ledger account to be debited or credited.
- The following shall be calculated and coded by the office staff prior to disbursement to the department heads for approval.
  - Payroll and payroll taxes
  - Monthly recurring bills
    - NHRS
    - Health Insurance
    - Electric
    - Phone
    - DOT fuel
  - Yearly Bills that are paid by multiple funds

- Water/Sewer project payments paid from loans or grants booked under other than operating expenses

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Out of Pocket Expenses - Where reimbursement for out-of-pocket business expenses (see Personnel Manual Section 22) are to be paid to an employee, including mileage reimbursement, a Reimbursement Request form must be submitted to the Department Head for approval and submitted to office staff with the substantiating back-up. No reimbursements will be made without original back-up documentation. In the case of mileage reimbursement, the mileage being reimbursed will be recorded and submitted by the requesting employee and checked by the supervisor using Google Maps, or equivalent prior to being submitted to the office staff for payment. Generally, mileage is calculated from the Administration building or the fire station to the approved destination, but exceptions may be granted by the department heads.

**ADDENDUM 3**  
**TO THE GENERAL DISTRICT RULES AND REGULATIONS**  
**ABATEMENT POLICY**  
**Other than Sewer Usage Abatements**

All abatements will be properly documented and presented to the Board of Commissioners at the last meeting of the month.

The Board of Commissioners authorize the Municipal Bookkeeper to grant penalty fee abatements and correct billing errors in an amount of \$20.00 or less.

The following abatements will require approval by the board:

- Penalty fee abatements in an amount more than \$20.00 per service
- Billing errors for invoices that have been mailed to customers in an amount more than \$20.00

Approved: 10/29/2020

## APPENDECES

Appendix A – Request for use of Facilities

Appendix B – Sewer Usage Abatement Request



**APPENDIX A**

**Conway Village Fire District**

A Village District in the Town of Conway, NH  
128 West Main Street Conway, NH 03818  
Phone: 447-5470 Fax: 447-3271 Web: www.cvillagefd.com  
*This Institution is an Equal Opportunity Provider*



**REQUEST FOR USE OF FACILITIES**

**Please note: This request must be submitted to the Administrative office at least two (2) weeks prior to requested date(s). A timely notification is required should activity be canceled.**

Facility: \_\_\_Pequawket Park \_\_\_Park Parking Lot \_\_\_Gazebo \_\_\_ Fire Station Meeting Room  
\_\_\_Administrative Building Meeting Room \_\_\_ Other \_\_\_\_\_

Organization/Person Making Request: \_\_\_\_\_

Activity: \_\_\_\_\_

Date(s) of use \_\_\_\_\_

Time(s) of use (please include set-up and clean-up) \_\_\_\_\_

Additional Services Requested \_\_\_\_\_

Contact Person: \_\_\_\_\_

Please print name of person to contact regarding activity

Contact Phone Number: \_\_\_\_\_

Contact e-mail: \_\_\_\_\_

Mailing Address of responsible person/organization: \_\_\_\_\_

*By signing below, I understand that I, or the organization I am representing, is responsible and liable for any damage that occurs to any building or grounds during this activity. Further, I understand that I must report any damage I notice prior to use to the Administrative Office or Fire Chief before set-up or commencement of the activity. The District reserves the right to request an up-to-date Certificate of Insurance, prior to approval of this request, that names the Conway Village Fire District as an additional insured however, use of Pequawket Park requires one, see attached.*

Signature of Responsible party: \_\_\_\_\_

**Please take note – this application does not waive applicant from applying for event or raffle permits from the Town of Conway**

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For Office use only

Approved \_\_\_ Denied \_\_\_ Date of Approval/Denial \_\_\_\_\_

Approved by \_\_\_\_\_  
Commissioner Commissioner Commissioner



**APPENDIX B**



**Conway Village Fire District  
Sewer Usage Abatement Request**



**Abatement Policy: It shall be the policy of the Conway Village Fire District to abate sewer usage for customers who suffer an extreme leak that causes an excessive amount of water to flow through their meter but that in way enters the District Sewer system. Please refer to the complete policy on the back of this form.**

Date \_\_\_\_\_ Account Number \_\_\_\_\_

Property Owner Name \_\_\_\_\_

Contact Phone Number \_\_\_\_\_

Address Where Incident Occurred \_\_\_\_\_

Mailing Address If Different \_\_\_\_\_

Date First Reported to the District \_\_\_\_\_

Are you filing an insurance claim for damages \_\_\_\_ Yes \_\_\_\_ No

If yes, with which Insurance Company (name and phone number)

Please provide a detailed description of the incident, attach any documentation and pictures verifying incident as well as any additional comments (if more room is needed, please attach additional sheets) \_\_\_\_\_

Abatement amount requested & \_\_\_\_\_

*The filing of this request does not relieve the customer of their water/sewer bill. It should be paid as billed. Adjustments to account will be applied as a credit if abatement is approved.*  
**All request will be reviewed by the Board of Commissioners, abatements are granted upon the Board's approval.**

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***FOR OFFICE USE ONLY***

Upon a vote in the affirmative by the CVFD Board of Commissioners: Approval Date \_\_\_\_\_

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner