

ANNUAL REPORT
OF THE
WATER SUPPLY DISTRICT
OF
ACTON, MASSACHUSETTS



For the Year Ending December Thirty-first

1989

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WATER DISTRICT ORGANIZATION - 1989

ELECTED OFFICIALS

COMMISSIONERS

Stephen C. Stuntz, *Chairman*
Leonard A. Phillips
Ronald R. Parenti

CLERK

Anita E. Page

MODERATOR

John W. Putnam

APPOINTED OFFICIALS

FINANCE COMMITTEE

Joyce E. Foley, *Chairman*
William L. Kingman
Theodore Jarvis

ATTORNEY

Charles E. Orcutt, Jr.

ACCOUNTANT

Raymond L. Page

TREASURER & COLLECTOR

Stephen G. Peterson

GROUNDWATER PROTECTION COMMITTEE

Joseph Markind

ACTON WATER DISTRICT STAFF -1989

DISTRICT MANAGER	John E. MacLeod
TREASURER / COLLECTOR	Stephen G. Peterson
ENVIRONMENTAL ENGINEER	Jospeh Markind
SECRETARY / BOOKKEEPER	Kymberlee A. Odoardi
SECRETARY (part-time) / BOOKKEEPER	Linda Larson
ASSISTANT SUPERINTENDENT	Carleton Troupe
FOREMAN	Robert Koch
OPERATORS	Patrick DeCesare Paul McGovern Randall Troupe Stephen Peterson
CHEMIST (part-time)	Dr. John Swallow
COMMISSIONER'S SECRETARY	Jane Cutler

ORGANIZATION - 1989

Water Commissioners

Stephen C. Stuntz	Term expires 1990
Leonard A. Phillips	Term expires 1991
Ronald R. Parenti	Term expires 1992

Moderator

John Putnam	Term expires 1990
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Clerk

Anita E. Page	Term expires 1990
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Finance Committee

Theodore Jarvis	Term expires 1990
Joyce E. Foley	Term expires 1991
William L. Kingman	Term expires 1992

*Commissioners meet on second and fourth Monday of the month
Whitcomb Station, 693 Massachusetts Avenue Acton
7:30 P.M.*

Appointment by the Water Commissioners

District Manager

John E. MacLeod	Contract expires 1995
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Treasurer and Collector

Stephen G. Peterson	Term expires 1990
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Accountant

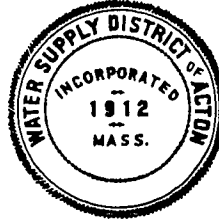
Raymond L. Page	Term expires 1990
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Attorney

Charles E. Orcutt, Jr.	Term expires 1990
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COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.



To the Clerk of the Water Supply District of Acton, GREETINGS:

You are directed to notify the inhabitants of the Town of Acton, qualified to vote in elections and town affairs, to assemble at their precinct:

Precincts 1 & 2 — Conant School - Taylor Road
Precincts 3, 4, & 5 — Blanchard Auditorium, off
Massachusetts Avenue

On TUESDAY, MARCH 27, 1990
between 7 o'clock A.M. and 8 o'clock P.M.

Then and there to bring their votes on one ballot for the following officers:

Moderator for one year, one Commissioner for three years, and Clerk for one year.

You are further requested to notify the legal voters of said Town of Acton, as aforesaid, to assemble at the

Acton - Boxborough Junior High School Auditorium
Charter Road at Mass. Avenue, West Acton
On WEDNESDAY, MARCH 21, 1990

at 7:30 o'clock P.M.

Then and there to act on the following articles:

ARTICLE 1. To fix the salaries of the elected officers.

ARTICLE 2. To act on the reports of the Commissioners, the Treasurer and other officers and committees of the District.

ARTICLE 3. To see if the District will vote to authorize the Treasurer, with the approval of the Commissioners, to borrow in anticipation of the revenue for the fiscal year beginning July 1, 1990, in accordance with the provisions of General Laws, Chapter 44, Section 4, and to renew any note or notes as may be given for a period of less than one year, in accordance with the provisions of General Laws, Chapter 44, Section 17, or to take any other action relative thereto.

ARTICLE 4. To see if the District will vote to instruct the Commissioners to discontinue from inclusion in the Budget for 1990-1991 the estimated receipt known as hydrant rental (fire protection fee), or to take any other action relative thereto.

ARTICLE 5. To see what sums of money the District will vote to raise and appropriate to defray the usual expenses of the District.

ARTICLE 6. To see if the District will vote to transfer from Receipt Reserve for Appropriation Account (W.R. Grace settlement), a certain sum of money for the maintenance and operation, carbon replacement and power costs at the various treatment plants operated by the District, or to take any other action relative thereto.

ARTICLE 7. To see if the District will vote to transfer from Surplus Revenue a certain sum of money to purchase a new truck and authorize the Commissioners to trade or sell the 1986 Dodge Pickup truck, or to take any other action relative thereto.

ARTICLE 8. To see if the District will vote to transfer from Surplus Revenue, a certain sum of money to connect the water main on Lawsbrook Road in South Acton with the public water main in the Town of Concord on Lawsbrook Road at the town line, or to take any other action relative thereto.

ARTICLE 9. To see if the District will vote to transfer from Surplus Revenue a certain sum of money to have Boston Gas Company install a natural gas line to the Clapp Well Pumping Station, the Conant Well Pumping Station and Marshall Well Pumping Station, or to take any other action relative thereto.

ARTICLE 10. To see if the District will vote to authorize the Commissioners to purchase or take by eminent domain, or otherwise acquire, a ten foot wide permanent easement along the westerly boundary of land presently owned by John R. Close and Clementine S. Close, 28 Nash Road, Acton, and shown on a plan of Lot 38 entitled, "Easement Plan of Land in Acton, Middlesex County, Massachusetts for Warren Bolton", drawn by Stamski and McNary, Inc., for the installation of a water main, together with a ten foot wide temporary construction easement contiguous with the permanent easement. Said permanent easement is for the installation of a water main loop, a distance of about 250 feet, from Nash Road to adjacent vacant land of Warren Bolton, et al; and to raise and appropriate or to transfer from any available source, or to borrow under authority of Chapter 44 of the General Laws, as amended, a certain sum of money for said purpose, or to take any other action relative thereto.

ARTICLE 11. To see if the District will vote to adopt the following Bylaw entitled, "Water Supply Emergency Bylaw":

WATER EMERGENCY PLAN

Section 1: Authority

This By-law is adopted by the District under Chapter 326 of the Acts of 1912, its police powers to protect public health and welfare and its specific authorization under Massachusetts General Laws Ch. 41, Section 69B; Ch. 40 Section 91A.

Section 2: Purpose

The purpose of this By-law is to protect, preserve, and maintain the public health, safety and welfare whenever there is in force a state of water supply emergency by providing for enforcement of any duly imposed restrictions, requirements, provisions or conditions imposed by the District or by the Department and included in the District's plan approved by the Department of Environmental Protection to abate the emergency.

Section 3: Definitions

For the purpose of this By-law:

Enforcement authority shall mean the District's Board of Water Commissioners having responsibility for the operation and maintenance of the water supply; the Health Department, the Town police, special police, and any other locally designated body having police powers.

State of water supply emergency shall mean a state of water supply emergency declared by the Department of Environmental Protection pursuant to G.L. c. 21G, Section 15, 16, 17; G.L. c. 111, Section 160, or by the Governor.

Section 4: The following shall apply to all users of water supplies supplied by the District:

Following notification by the District of the existence of a state of water supply emergency, no person shall violate any provision, condition, requirement or restriction included in a plan approved by the Department of Environmental Protection which has as its purpose the abatement of a water supply emergency.

Notification of any provision, restriction, requirement, or condition with which users of water supplied by the District are required to comply to abate a situation of water emergency shall be sufficient for purposes of this By-law if it is published in a newspaper of general circulation within the Town of Acton or by such other notice as is reasonably calculated to reach and inform all users of the District supply.

Section 5: Penalty

Any person or entity who violates this By-law, shall be liable to the District in the amount of \$50.00 for the first violation and \$100.00 for each subsequent violation which shall inure to the District for such

such uses as the Board of Water Commissioners may direct. Fines shall be recovered by indictment or on complaint before the District court or by noncriminal disposition in accordance with section 21D of Chapter 40 of the General Laws. Each separate instance of non-compliance following the issuance of any warning or citation pursuant to this section shall constitute a separate violation.

Section 6: Right of Entry

Agents of the enforcement authority may enter any property for the purpose of inspecting or investigating any violation of this By-law or enforcing against the same.

Section 7: Severability

The invalidity of any portion or provisions of this By-law shall not invalidate any other portion, provision or section hereof.

ARTICLE 12. To see if the District will vote to authorize the Commissioners to extend the water main from the Assabet well-field in South Acton to connect with the water main on Independence Road to provide a ten inch feed line, and to transfer from Surplus Revenue a certain sum of money for said purpose, or to take any other action relative thereto.

ARTICLE 13. To see if the District will vote to amend the Bylaws of the District by adding Section 14, to read as follows and entitled: Underground Water Sprinklers.

- a. No person shall install, repair, replace or alter a permanent outdoor underground water sprinkler except as provided by this Bylaw.
- b. Applications to the District for the installation and use of permanent outdoor underground lawn sprinklers shall be signed by the owner(s) of the premises where it is desired, or by a duly authorized agent, and shall be made in writing. The application shall contain such information or shall be prescribed by the Commissioners.
- c. The Commissioners shall make such rules and regulations relating to the installation, repair, maintenance, replacement or alteration of permanent outdoor underground lawn sprinklers, which rules and regulations may specifically prohibit the installation of same, or may regulate such installation, repair, maintenance, replacement or alteration; and may provide for design criteria which includes, but is not limited to, rain gauges, automatic timers, back flow devices, shut-off devices, electric controls, and the like, and shall include fees to be paid to the District by the applicant or owner.
- d. The Commissioners shall have the authority and the duty to adopt, issue and administer rules and regulations for the administration and operation of permanent outdoor underground lawn sprinklers.
- e. No permit granted prior to the effective date of this bylaw shall be deemed invalid because of having been granted either by the Board of Health of the Town of Acton, or the District Manager, or both; provided, however, it shall be the responsibility of the owner(s) to produce written evidence of same. Any permanent outdoor underground water sprinkler legally installed prior to the effective date of this bylaw which becomes defective or requires replacement or repair shall be subject to this bylaw, and the rules and regulations adopted by the Commissioners from time to time.

f. If the Commissioners shall find that any provision of this bylaw is being violated, the Commissioners shall notify in writing the person(s) deemed responsible for such violation, indicating the nature of the violation and ordering the necessary action to correct it.

g. Any person violating this bylaw shall be fined not more than \$200.00 for each offense, which shall inure to the District for such use as the Commissioners may direct. Fines shall be recovered by indictment or on complaint before the District court or by non-criminal disposition in accordance with section of 21D of Chapter 40 of the General Laws. Every day that such violation continues shall constitute a separate offense. This section shall not curtail the Board of Health or Plumbing Inspector, Town of Acton, from seeking enforcement under applicable provisions of law.

h. The provisions of this bylaw, as amended from time to time, are severable. If any provision of the bylaw, or any amendment thereto, is held invalid, the other provisions of the bylaw shall not be affected thereby. If the application of such provisions, or any amendment thereto, is held invalid, the application of such provision to other persons and circumstances shall not be affected thereby.

ARTICLE 14. To see if the District will vote to authorize the Commissioners to accept a gift of a certain parcel of land located on the southerly side of Massachusetts Avenue in West Acton owned by Benjamin and Altha M. Humphrey, land parcel 154, Page F-2 of the Town Atlas, containing about 2.75 acres and being the same premises conveyed to the grantor by deed dated October 23, 1983, recorded in the Middlesex South District Registry of Deeds, Book 15322, Page 154. The said land acquisition is necessary for the protection of a potential water source, recharge for a future well to be located on land presently owned by the District, or to take any other action relative thereto.

ARTICLE 15. To see if the District will vote to transfer from Surplus Revenue a certain sum of money for maintenance, cleaning and chemical treatment, and redevelopment of the Marshall Wellfield and the Scribner Wellfield, or to take any other action relative thereto.

And you are directed to serve this Warrant by posting copies attested by you in two or more public places in the Water Supply District, fourteen days at least before the time of said meeting, as authorized by Chapter 41, section 119, of the General Laws.

Hereof fail not and make due returns of this Warrant with your doings thereon to the Water Commissioners on or before the time of holding said meeting.

Given under our hands this twenty-second day of January in the year one thousand nine hundred and ninety.

STEPHEN C. STUNTZ
LEONARD A. PHILLIPS
RONALD R. PARENTI
Water Commissioners

A true copy ATTEST:

Anita E. Page
District Clerk

APPROPRIATIONS AND EXPENDITURES 88-89, 6 MONTHS of 90

	1988 Appro.	1988 Expend.	1989 Appro.	1989 Expend.	1990 Appro.	1990 6 Months	1991 Appro.
Salaries & Wages	\$311,000.	\$315,479.62	\$334,000.00	\$336,212.05	\$367,000.00	\$117,054.00	\$385,000.00
Health Insurance	22,100.	21,358.58	27,000.00	27,270.37	34,000.00	17,343.00	45,000.00
Mdx. County Retirement	32,000.	35,881.00	38,000.00	37,969.00	42,000.00	37,890.00	40,000.00
Educational Expense	5,000.	5,251.70	6,000.00	5,999.28	6,000.00	3,674.00	6,000.00
Maintenance & Operation...	65,000.	76,892.03	70,000.00	83,477.95	60,000.00	47,665.00	60,000.00
Meters	7,000.	7,000.00	10,000.00	15,606.64	10,000.00	9,933.00	12,000.00
Auto & Equipment	17,000.	16,527.29	17,000.00	12,668.63	17,000.00	6,539.00	15,000.00
Fuel	5,000.	4,614.53	5,000.00	6,522.95	5,000.00	2,103.00	6,000.00
Equipment Rental	2,000.	2,483.11	2,000.00	304.00	2,000.00	336.00	2,000.00
Permanent Paving	3,000.	2,196.60	4,000.00	4,398.17	4,000.00	3,089.00	4,000.00
Chemicals	70,000.	68,932.28	45,000.00	49,336.78	50,000.00	24,125.00	60,000.00
7 Lights, Power, Telephone	c26,802.		c44,320.20		c39,953.00		
	60,000.	60,051.02	70,000.00	40,100.58	60,000.00	43,612.00	60,000.00
Laboratory Analysis					c29,906.00		
	5,000.	3,495.00	5,000.00	4,451.25	3,000.00	1,031.00	4,000.00
Insurance/Domestic	c1,686.		c3,191.56		c3,740.00		
	35,000.	37,644.00	48,000.00	48,000.00	45,000.00	30,207.00	51,000.00
Office Supplies	6,500.	7,252.79	7,500.00	7,500.00	9,000.00	3,673.00	8,000.00
Postage	5,000.	5,126.00	6,000.00	5,991.50	4,500.00	2,145.00	5,000.00
Audit	c5,500.	—0—	5,500.00	7,125.00	c7,375.00	7,375.00	9,500.00
Legal			c9,000.00				
	12,000.	11,774.80	12,000.00	49,011.10	15,000.00	19,176.00	20,000.00
Water Words Notice			SA35,000.00		SA20,000.00		
	c2,055.	1,693.18	1,000.00	1,303.14	1,500.00	—0—	1,500.00
Advisory Committee			c362.14				
	500.	494.90	500.00	—0—	—0—	—0—	—0—
Miscellaneous	c1,584.		c1,589.12				
	1,000.	887.84	1,000.00	1,064.51	1,000.00	218.00	1,000.00
Land Survey	5,000.	3,825.00	—0—	—0—	c9,175.00	—0—	5,000.00
	c8,000.		c9,175.00				

Engineering	10,000.	10,282.00	10,000.00	3,809.12	10,000.00	2,857.00	5,000.00
Survey New Water	2,000.	—0—	2,000.00	—0—	c4,324.00		
	c324.		c2,324.64				
Bonds & Interest	410,675.	412,897.51	385,000.00	400,129.65	655,910.00	153,998.00	645,370.00
	c57,597.		c55,375.00		c40,245.00		
Reserve Fund	225,000.	(19,610.42)	35,000.00	(25,688.11)	35,000.00	—0—	25,000.00
	<u>\$1,116,775.</u>	<u>\$1,114,040.78</u>	<u>\$1,150,000.00</u>	<u>\$1,145,907.43</u>	<u>\$1,436,910.00</u>	<u>\$594,043.00</u>	<u>\$1,475,370.00</u>

c - Previous yrs. monies not spent. Carried over.

	<u>Estimated Receipts</u>	<u>Actual Receipts</u>	<u>Estimated Receipts</u>	<u>Actual Receipts</u>	<u>Estimated Receipts</u>	<u>Actual 6 Months Receipts</u>	<u>Estimated Receipts Schedule A</u>
Hydrants	\$ 54,000.00	\$ 55,185.00	\$ 54,400.00	\$ 59,464.00	\$ 58,814.00	\$ 9,244.00	\$ 60,000.00
Water Rates	992,275.00	1,031,671.00	1,045,100.00	1,025,738.00	1,244,971.00	593,965.00	1,340,370.00
Sprinklers	10,500.00	14,875.00	10,500.00	17,785.00	13,125.00	14,653.00	15,000.00
Repairs & New Installations	60,000.00	143,178.00	70,000.00	116,429.00	120,000.00	56,283.00	60,000.00
							<u>\$1,475,370.00</u>
							<u>Estimated Receipts Schedule B</u>
						Water Rates	\$1,400,370.00
						Sprinklers	15,000.00
						Repairs & New Installations	60,000.00
							<u>\$1,475,370.00</u>

Stephen C. Stuntz
Leonard A. Phillips
Ronald R. Parenti
Water Commissioners

**WATER SUPPLY DISTRICT
OF
ACTON, MASSACHUSETTS
AMORTIZATION SCHEDULE - BONDS AND INTEREST**

	Original Amount	Balance 7/1/90	1990-1991 Principal Interest	1991-1992 Principal Interest	1992-1993 Principal Interest	1993-1994 Principal Interest	1994-1995 Principal Interest	1995-1996 Principal Interest	1996-1997 Principal Interest	1997-1998 Principal Interest	1998-1999 Principal Interest	1999-2000 Principal Interest	2000-2001 Principal Interest
Nagog Hill Reservoir	540,000.00	90,000.00	30,000.00 4,275.00	30,000.00 2,565.00	30,000.00 855.00								
Water Bonds	385,000.00	20,000.00	20,000.00 570.00										
Water Bonds	220,000.00	20,000.00	10,000.00 727.50	10,000.00 242.50									
Building	130,000.00	20,000.00	10,000.00 727.50	10,000.00 242.50									
Water Bonds	910,000.00	270,000.00	80,000.00 26,125.00	80,000.00 18,525.00	60,000.00 10,725.00	50,000.00 4,875.00							
Water Bonds	595,000.00	345,000.00	50,000.00 25,875.00	50,000.00 22,124.00	50,000.00 18,375.00	50,000.00 14,625.00	50,000.00 10,875.00	50,000.00 7,125.00	45,000.00 3,375.00				
Water Bonds	625,000.00	405,000.00	55,000.00 25,920.00	50,000.00 22,400.00	50,000.00 19,200.00	50,000.00 16,000.00	50,000.00 12,800.00	50,000.00 9,600.00	50,000.00 6,400.00	50,000.00 3,200.00			
W.P. Walsh Reservoir	2,100,000.00	1,925,000.00	175,000.00 129,150.00	175,000.00 117,425.00	175,000.00 105,700.00	175,000.00 93,975.00	175,000.00 82,250.00	175,000.00 70,525.00	175,000.00 58,800.00	175,000.00 47,075.00	175,000.00 35,350.00	175,000.00 23,625.00	175,000.00 11,812.50
TOTALS	5,505,000.00	3,095,000.00	643,370.00	588,524.00	519,855.00	454,475.00	380,925.00	362,250.00	338,575.00	275,275.00	210,350.00	198,625.00	186,812.50

REPORT OF THE COMMISSIONERS

This year was a year that saw the fruition of long range planning in the construction of significant additions to the supply side of our system. The additions to the tank in North Acton prepares us for growth in that area of town as well as providing necessary fire fighting capabilities. The land for the storage tank was purchased over 10 years ago and made possible a large amount of storage (3 million gallons) in a tank that did not have to rise above the surrounding vegetation and to be visible all over town.

These additions to our system allow the Commissioners the opportunity to consider removing the odd-even watering restriction that has been in effect for over 20 years. Conservation continues to be an important part of the overall water supply strategy and any changes to the ban will be considered in light of our long range plans.

As a continuation of policy of maintaining the best water quality, we have upgraded our water testing abilities in a modernized facility that can test for a variety of analytical parameters. Thus far, the lab has been used chiefly as a quality control vehicle, supporting the more routine daily requirements in conjunction with the well chemical treatment and cleaning programs. For the future, it is our intent to obtain State Certification. This will then provide the impetus to extend the lab services into the commercial arena.

For the first time since 1981 we had to increase the water rate per 100 cubic feet of water from \$1.50 to \$1.95. This increase was necessary to cover the added cost of the expansion of the system as well as the increases associated with the general operation of the District. Further during the year we also raised the minimum rate from \$12.00 per quarter to \$20.00 per quarter to cover a shortfall in revenue due to the lower than expected usage of water during the summer. We felt uncomfortable in raising the minimum rate because these costs can have a significant impact on those customers who are on a fixed income. For this reason we will be looking closely at our rate structure in order to balance the income and expenses in the most fair manner.

This year we promulgated new regulations with regard to water filters. Filters that are not maintained can create quality problems for their owners and are discouraged. Regulations with regard to underground sprinklers are being developed and will lead overall supply and availability of water to all users.

We Commissioners appreciate the able leadership that John MacLeod provides to the District. This ability has been recognized nationally in his award from the American Water Works Association. His ability is also appreciated by the District personnel who maintain the system in all kinds of weather and through all kinds of problems.

Respectfully submitted,

Stephen C. Stuntz, Chairman

Leonard A. Phillips

Donald P. Parenti

REPORT OF THE FINANCE COMMITTEE

This past year has been one of unanticipated expenses exceeding budgeted revenues. The sharp decline in real estate building activity during the year reduced installation and water hook-up fee income. A wetter than normal summer further reduced income to the District. In addition, the Commissioners have agreed to respect the resolution voted at the Town Meeting November, 1989 to remove the annual hydrant rental and maintenance fee from the town budget. This will add an additional \$60,000 expense to the district. Therefore, the minimum water fee charge has now been raised to \$20.00 per calendar quarter.

The "Grace Fund" as of June 30, 1989 has increased in value \$121,054 over the previous year to \$1,874,555. During the year \$90,000 of income from this fund has been used for the redevelopment of Assabet Well No 1 and the maintenance and operation of the two Assabet Wells and the two School Street Wells. It is anticipated that income from the fund in fiscal 1991's budget will pay for the air stripper to be installed at Kennedy Well in the amount of \$80,000.

It is with regret, and best wishes that the committee acknowledges the retirement of Joyce Foley, after 7 years as a member. The District is fortunate to have had such an individual who has given so many experienced years to the Town and the District.

The commitment of the District staff to this committee, and particularly the support of the District Manager, John MacLeod, and Treasurer, Stephen Peterson are greatly appreciated.

William L. Kingman
Theodore Jarvis
Joyce Foley
Finance Committee

REPORT OF THE DISTRICT MANAGER

The following report covers the activities of the District for 1989.

New House installations	20
Old service lines replaced or renewed	21
Old meters replaced with new meters	162
Repair of damaged hydrants	8
Repair of water main and service breaks	14
Replacement fo old fire hydrants	7
Total gallons pumped in 1989	532,209,000
New water mains were installed at the following locations:	

Davis Road - 12" Main
Common Drive off Independence Road - 8" Main
Great Hill Housing - 10" Main
Audubon Hill off High Street - 12" & 8" Main
Stoney Meade off Pope Road - 10" & 8" Main
Autumn Lane - 8" Main

The Water District now has 9 Wells to supply water to the Town of Acton with public water. There will also be another well added to our system in the summer of 1990. The Water District has been dealing with several contamination issues and aesthetic complaints in the past few years. The quality of the water we now deliver to our consumers exceeds all Federal and State standards. We have done some flushing to our system this past year and hope to extend this operation to the rest of our system this year.

The Water District has made major changes in the past few years to the water system. These changes needed to be made in order to address future growth and to supply the present users with the same or increased pressures and flows.

The Water District completed a new 3 million gallon Storage Tank this year which will be useful for fire protection and surplus water in case of major emergencies. This tank will be dedicated to William P. Walsh a former Water Commissioner of 9 years, and will be called the William P. Walsh Tank.

The Water District has also completed studies for future well sites and already owns the land that is needed. There is possibly one more site for another well which the Water District is now pursuing. The Water District is in the process of getting approval for pumping tests. If favorable the Water District will purchase the property for future use and we may explore tests to install deep wells.

The Water District and District Engineers have worked very hard this year on a New Demand Concept. This would be to develop a fair assessment on new growth. This study is being conducted so that the present users do not have to pay the total cost for the Water District's major improvements. we hope that this study will be completed in the near future.

In early 1989, we all expected severe drought conditions which did not occur. the water users conserved and the Water District benefited as a result of this practice.

For the first time in 25 years, it is anticipated we will not have to implement our odd and even watering restriction. This does not negate to continual need for conservation, however. Water is a precious commodity.

The Water District is still working on a project located in South Acton between School Street and Lawsbrook Road. This project involves pumping water from Fort Pond Brook to recharge the Scribner Well Field which has several shallow wells. It would also enable us to pump more water from this well when the water table is low.

Several of the District's employees have completed, and will continue to attend, courses and seminars on water supply and water pollution issues. All of the Water District employees have passed the State Operator Certification Examination.

The Water District and Town staffs have established a new program of communication with respect to growth and other issues of major concern.

Over the past few years, the District has accumulated a library of educational material that remains on file. This material is always available for review by citizens of Acton.

The District adds the following chemicals to its water supply; zinc polyphosphate, sodium fluoride, potassium hydroxide and sodium hypochlorite.

The Water District will provide a tour of its Treatment Facilities to any citizen of Acton. Arrangements can be made by contacting the District Manager or the Environmental Engineer.

I was also appointed to the Mass. Water Works Association, Ground Water Committee along with ten other members from Massachusetts. This Committee will work with the D.E.P. Department of Environmental Protection Agency of Massachusetts and EPA Environmental Protection Agency of the Federal Government. The Committee will work on New Regulations and State Zoning laws to protect water supply in the Commonwealth. The Ground Water Protection Committee is also working on the addition of fluoride and setting higher standards for bottled water.

I would like to thank Ms. Carol Murphree, a Science Teacher at the Acton-Boxborough High School and her students for the on going study of fluoride, which is mentioned in the Environmental Engineer's Report.

I am also working with several local communities concerning our water supply problems. In an attempt to determine measures that we can all take to make our departments more efficient and our environment safer, we have formed a new professional organization called the Middlesex Worcester County Water Association. I am also President of this Association.

I would like to take this opportunity to express my sincere thanks to the Board of Water Commissioners, Finance Committee, Town Manager, Board of Selectmen, Board of Health, Department of Public Works, Engineering Department, Planning Board, Groundwater Protection Committee, Acton Fire Department, Acton Police Department, Acton School Department and all the citizens of Acton. In addition, I would like to thank the DEP, EPA, U.S. Representative Chester Atkins, State Representative John Loring, and neighboring towns who have helped us with our problems. I also look forward to better communications with all Town, State and Federal departments with whom the Water District associates.

John E. MacLeod
District Manager

REPORT OF THE ENVIRONMENTAL ENGINEER

The past year's activities were highlighted by several intriguing technical achievements, ranging from the Water District's unique approach to Air Stripper Maintenance enhancement, to participation in a Fluoride Survey with Acton Boxborough Regional High School's (ABRHS) Ecology and Environmental Pollution Class.

AIR STRIPPER MAINTENANCE CONTROL

A maintenance requirement, typical of most air stripper technology deals with the mineral deposition (primarily iron and manganese) on the packing media over extended use, as a result of the natural presence of inorganic solids in the raw well water. The Assabet Treatment Plant's Air Stripper operated for 3 years before refurbishment of the packing has to be seriously evaluated. The "alternatives" ranged from outright replacement to restoration by a controlled chemical cleaning process, following removal of the packing from the tower.

The chemical cleaning process merited initial preference because of the overall cost efficiency potential. An access route had to be first established in order to recover the spent packing supply. District Personnel effectively achieved this operation within a day's effort. During this time a chemical cleaning process was also developed in the Water District's Laboratory Facility. The overall chemical cleaning procedure produced a high quality recovery effort, and a cost savings advantage of greater than 50%, as opposed to replacement with new costly packing material.

The determination to modify the access route to the tower in order to facilitate the removal of the encrusted packing, coupled with the development of an efficient cleaning process is illustrative of the District's credo and unique attitude to "get things done".

FLUORIDE SURVEY PROJECT

From its initial introduction, nearly 45 years ago, active controversy has surrounded the use of fluoride in public drinking water to prevent tooth decay. Today, the focus has shifted away from fluoride's proven ability to reduce tooth decay, and to concerns over various other effects of fluoridation, as well as concerns over fluoride overexposure.

One of the concerns expressed over fluoridation is whether it causes an increase in bone brittleness, even among young people. During a Spring 1989 visit and Plant Tour to the Water District by the ABRHS Ecology and Environmental Pollution Class, the Water District suggested that it would be interesting to compare the number of bone breaks incurred by Acton students versus Boxboro students, since Acton's public water supply is fluoridated and Boxborough's water supply is from private, nonfluoridated well sources.

Following an exchange of ideas, based on an abbreviated literature review by the Water District, a program was proposed with Mrs. Carol Murphree's students spear-heading the researching of data in the form of a student survey. The class enthusiastically constructed a sample questionnaire that was distributed to the entire student body. The Ecology and Environmental Pollution Class is currently evaluating the data derived from the survey, and intends to issue a final report to the Water District in the coming spring (1990).

Respectfully Submitted
Joseph Markind

REPORT OF THE TREASURER
Cash Receipts and Disbursements
July 1, 1988 through June 30, 1989

Cash Balance for July 1, 1989		\$ 881,501.02
CASH RECEIPTS		
Water Rates	1,024,925.45	
Hydrants	59,464.17	
Sprinklers	17,875.00	
Repairs & Installation	116,429.32	
Sales Tax & Refunds	812.29	
Invested Interest	53,736.97	
Transfer from Grace	9,307.05	
Miscellaneous	5,153.39	
Insurance	1,938.40	
State	16,614.52	
Truck Bid	1,525.00	
Bond Issue	2,100,071.00	
Total Cash Receipts	3,407,852.56	4,289,353.58
CASH DISBURSEMENTS		
Salaries & Wages	262,440.58	
Federal Withholding	39,367.18	
State Withholding	13,336.60	
Retirement Withholding	18,611.42	
Health Insurance	32,343.03	
Domestic Insurance	48,000.00	
Retirement	37,969.00	
Education	5,999.28	
Maintenance & Operation	95,050.36	
Meters	15,606.64	
Auto & Equipment	13,031.63	
Fuel (Heating)	6,522.95	
Equipment Rental	304.00	
Permanent Paving	4,398.17	
Chemicals	49,855.78	
Lights, Power, Telephone	40,100.58	
Laboratory Analysis	4,451.25	
Legal & Accountant	49,011.10	
Audit	7,125.00	
Office Supplies & Postage	13,491.50	
Water Works & Miscellaneous	2,367.65	
Engineering	3,809.12	
Bonds & Interest	400,129.65	
Special Appropriations	561,067.75	
Sales Tax	461.31	
Refunds	350.98	
New Tank	838,260.28	
Total Cash Disbursements	\$2,563,462.79	
Total Ending Cash Balance June 30, 1989		\$1,725,890.79

ESCROW

Balance July 1, 1988	\$ 169,248.86
Interest	7,800.26
Disbursements	<u>174,890.34</u>
Balance as of June 30, 1989	2,158.78

W.R. Grade Account Reserve for Appropriation

June 30, 1988	\$120,156.84
Interest	7,406.21
Disbursements	<u>86,955.22</u>

Cash Balance June 30, 1989 40,607.83

Gardner, Preston and Moss, Inc.

W.R. Grace Settlement - Reserve for Appropriation

Original Investment	\$1,750,000.00
Net Income April 5, 1988 to June 30, 1989 ...	<u>131,782.33</u>
	1,881,782.33

Less: Losses on Sales

7,226.87

Balance June 30, 1989 \$1,874,555.46

Balance t June 30, 1989 (at cost) Consists of:

Average Yield

Principal Cash \$ 48.00

—

Short Term Interest

Governments 529,047.00

8.29

Corporate 757,684.00

10.09

Corporate Bonds 587,776.00

9.67

Total 1,874,555.00

9.45

(Note: Market Value of Investment Account on June 30, 1989

was \$1,871,054.00.

Estimated Annual Income of Investment Account at June 30, 1989

was \$176,780.00.)

Savings and Money Market Accounts

BayBank Middlesex, Balance July 1, 1988	\$ 46.75
Interest	2.38
	<hr/>
Balance at June 30, 1989	49.13
Shawmut Bank, Balance July 1, 1988	\$245,906.50
Interest	20,557.70
Withdrawal	964.82
	<hr/>
Balance at June 30, 1989	265,499.38
MMDT, Balance July 1, 1988	\$657,624.97
Interest	33,176.89
Deposits	305,000.00
	<hr/>
Total	995,801.86
Withdrawal	770,000.00
	<hr/>
Balance at June 30, 1989	225,801.86

Stephen Peterson
Treasurer & Collector

REPORT OF THE COLLECTOR July 1, 1989 to June 30, 1989

Outstanding June 30, 1988	\$ 43,603.80
Charges	1,221,780.20
Refunds	350.98
	<hr/>
Total	1,265,734.98
Payments	1,219,518.33
Abatements	14,193.74
Adjustments	227.68
Outstanding, June 30, 1989	31,795.23
	<hr/>
	1,265,734.98

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SERIAL BONDS PAYABLE

RAYMOND L. PAGE
CERTIFIED PUBLIC ACCOUNTANT
201 GREAT ROAD
ACTON, MASSACHUSETTS 01720

(508) 263-2132
FAX 263-7142

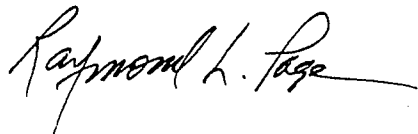
Board of Water Commissioners
District Manager
Treasurer
Finance Committee

Water Supply District of Acton

I have audited the accompany Balance Sheets of the various funds of the Water Supply District of Acton as of June 30, 1989, and the related Statements of Revenue, Expenditures and Changes in Fund Balance for the year then ended. These financial statements are the responsibility of the District's management. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audit in accordance with generally accepted auditing standards. These standards require that I plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. I believe that my audit provides a reasonable basis for my opinion.

In my opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Water Supply District of Acton as of June 30, 1989, and the results of its various fund operations and its cash flows for the year then ended in conformity with generally accepted accounting principles.



Raymond L. Page

November 16, 1989

WATER SUPPLY DISTRICT OF ACTON

GENERAL FUND

BALANCE SHEET

JUNE 30, 1989

ASSETS

Cash	\$1,725,891
Accounts Receivable	
Water Rates and Services	31,618
	<u>\$1,757,509</u>

LIABILITIES, RESERVE AND FUND BALANCE

Due to Capital Projects Fund	\$1,388,380
Reserve for Uncollected Receivables	31,618
Carryover of Unexpended Budget Appropriations	134,721
Fund Balance	202,790
	<u>\$1,757,509</u>

See Accompanying Notes

Subject to comments contained in
Accountant's Report

**WATER SUPPLY DISTRICT OF ACTON
GENERAL FUND
STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCE**

YEAR ENDED JUNE 30, 1989

	<u>Budget</u>	<u>Actual</u>	<u>Variance Favorable (Unfavorable)</u>
Revenues			
Water Rates and Services	\$1,150,000	\$1,218,694	\$ 68,694
Interest on Invested Cash		53,737	53,737
Total Revenue	<u>1,150,000</u>	<u>1,272,431</u>	<u>122,431</u>
Expenditures			
Maturing Debt & Interest	440,375	400,130	40,245
Group Insurance	27,000	32,343	(5,343)
Salaries & Wages	334,000	336,224	(2,224)
Equipment Rental	2,000	311	1,689
Utilities	70,000	41,506	28,494
Fuel	5,000	6,523	(1,523)
Land Survey	9,175	0	9,175
Maintenance & Operations	70,000	94,622	(24,622)
Middlesex County Retirement	38,000	38,097	(97)
Postage & Miscellaneous	7,000	7,016	(16)
Audit	14,500	7,125	7,375
Legal & Accounting	12,000	49,011	(37,011)
Engineering	10,000	3,809	6,191
Insurance	48,000	58,553	(10,553)
Meters	10,000	15,607	(5,607)
Auto & Equipment Expense	17,000	13,032	3,968
Reserve Fund	35,000	25,688	9,312
Office Supplies	7,500	7,500	0
Laboratory Analysis	8,192	4,451	3,741
Survey New Water	4,325	0	4,325
Education Expense	6,000	7,068	(1,068)
Advisory Comm. & Water Words	3,451	1,303	2,148
Chemicals	89,320	49,856	39,464
Permanent Paving	4,000	4,398	(398)
Total Expenditures	<u>\$1,271,838</u>	<u>\$1,204,173</u>	<u>\$ 67,665</u>
Excess of Revenues Over Expenditures		68,258	
Other Financing Sources (Uses):			
Transfers-Capital Projects Fund	(\$102,530)		
Reserve Fund Transfers	<u>21,523</u>	<u>(81,007)</u>	
Excess of Expenditures & Other Uses over Revenue		(12,749)	
Fund Balance at Beginning of Year		<u>215,539</u>	
Fund Balance at End of Year		<u>\$202,790</u>	

See Accompanying Notes

Subject to comments contained in Accountant's Report

WATER SUPPLY DISTRICT OF ACTON

CAPITAL PROJECTS FUND

BALANCE SHEET

JUNE 30, 1989

ASSETS

Due from General Fund	<u>\$1,388,381</u>
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FUND BALANCE

Fund Balances, Appropriated	<u>\$1,388,381</u>
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See Accompanying Notes

Subject to comments contained in
Accountant's Report

**WATER SUPPLY DISTRICT OF ACTON
CAPITAL PROJECTS FUND
STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCE**

YEAR ENDED JUNE 30, 1989

	Appro- priated Fund Balance 6/30/88	Receipts		Expend- itures	Appro- priated Fund Balance 6/30/89
		Transfers From General Funds	Borrowing		
Assabet Gas Line	\$ 3,186			\$ 1,625	\$ 1,561
New Laboratory	41,753			41,583	170
Conant Well Clean Up		\$15,000		13,982	1,018
Kennedy & Sportsmen Club Land	201,950			201,950	0
Master Plan Update	421			421	0
Lawsbrook Main	200				200
Sealed Vault & Tank		5,000		3,889	1,111
Aquifer Clean Up - Clapp Well	12,321			1,517	10,804
Assabet Well Clean Up		30,000		30,000	0
Clapp Well Study	10,213			10,213	0
Special Study	1,006			1,006	0
Scribner Well Study	4,980				4,980
Whitcomb Well Study	5,293				5,293
Septage Lagoons Disposal	3,632				3,632
Vehicles	39,569			39,361	208
Marshall Well	22,517			15,810	6,707
Update Billing System		5,530		5,530	0
Whitcomb Power Update	4,000			463	3,537
Ground Water Monitor Well	15,000			11,382	3,618
Water Distribution System	5,834			1,545	4,289
Potassium Hydroxide	14,627			1,715	12,912
Conant Land Pumping Test	46,535			1,304	45,231
Great Hill Standpipe	2,112				2,112
Monitoring Wells	10,000			10,000	0
Whitcomb Boiler	6,025			1,500	4,525
Emergency Power Source	70			70	0
Steel Building	55,000			52,919	2,081
Building Lawsbrook	8,980			8,831	149
North St. Water Main	28,900			28,900	0
Kennedy Well			\$ 400,000		400,000
Wampus Storage Tank			1,700,071	838,260	861,811
New Car		15,000		13,394	1,606
Utility Building		10,000		7,942	2,058
Compactor & Welder		3,500		3,500	0
Control Valve		10,000		9,732	268
Pump Test-Kunelius Land		8,500			8,500
	<u>\$544,124</u>	<u>\$102,530</u>	<u>\$2,100,071</u>	<u>\$1,358,344</u>	<u>\$1,388,381</u>

See Accompanying Notes

Subject to comments contained in Accountant's Report

WATER SUPPLY DISTRICT OF ACTON
AGENCY FUND
BALANCE SHEET
JUNE 30, 1989

ASSETS	
Cash	\$ 2,159
FUND BALANCE	
Fund Balances	\$ 2,159

See Accompanying Notes
Subject to comments contained in Accountant's Report

WATER SUPPLY DISTRICT OF ACTON
AGENCY FUND
STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES
YEAR ENDED JUNE 30, 1989

	Fund Balance June 30, 1988	Receipts	Expendi- tures	Fund Balance June 30, 1989
Escrow Account				
Pope Road Main				
(Overview Development)	\$169,249	\$7,800	\$174,890	\$2,159

See Accompanying Notes
Subject to comments contained in Accountant's Report

WATER SUPPLY DISTRICT OF ACTON
STATEMENT OF GENERAL LONG-TERM DEBT
JUNE 30, 1989

<u>AMOUNT TO BE PROVIDED FOR THE PAYMENT OF LONG-TERM DEBT</u>	
Amount to be Provided	\$3,525,000
<u>LONG-TERM DEBT PAYABLE</u>	
Serial Bonds Payable	\$3,525,000

See Accompanying Notes
Subject to comments contained in Accountant's Report

**WATER SUPPLY DISTRICT OF ACTON
RESTRICTED FUND - W.R. GRACE SETTLEMENT
BALANCE SHEET
JUNE 30, 1989**

ASSETS	
Cash	\$ 40,656
Investments, at Cost	1,874,507
(Market Value at 6/30/89 - \$1,871,006)	
	<u>\$1,915,163</u>
FUND BALANCE	
Fund Balance	<u>\$1,915,163</u>

See Accompanying Notes
Subject to comments contained in Accountant's Report

**WATER SUPPLY DISTRICT OF ACTON
RESTRICTED FUND - W.R. GRACE SETTLEMENT
STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES
JUNE 30, 1989**

	<u>Treasurer Funds</u>	<u>Managed Funds</u>
Revenue		
Interest Earned on		
Investment Funds	\$ 7,406	\$ 147,820
Expenditures		
Maintenance and Operations		
for Treatment Facilities	86,955	
Investment Expense		16,038
Net Investment Losses		<u>7,227</u>
Excess of Expenditures over Revenue	<u>(79,549)</u>	
Excess of Revenue over Expenditures		124,555
Fund Balance at Beginning of Year	<u>-120,157</u>	<u>1,750,000</u>
Fund Balance at End of Year	<u>\$ 40,608</u>	<u>\$1,874,555</u>
Combined Fund Balance		
at End of Year	<u>\$1,915,163</u>	

See Accompanying Notes
Subject to comments contained in Accountant's Report

WATER SUPPLY DISTRICT OF ACTON
NOTES TO FINANCIAL STATEMENT
JUNE 30, 1989

1. Summary of Significant Accounting Policies

The District maintains its accounting records in accordance with practices and procedures prescribed by the Director of Accounts of the Commonwealth of Massachusetts, Department of Revenue.

(i) **Fund Accounting**

The accounts of the District are organized into funds or groups of accounts, each of which is considered to be a separate accounting entity.

The following funds are used in accounting for the financial operations of the Water Supply District of Acton.

General Fund

This fund is used to reflect the financial transactions related to District activities which are not otherwise accounted for in another fund.

Capital Projects Fund

This fund is used to account for all resources used for the acquisition or construction of capital projects facilities and studies.

Agency Fund

This fund is used to account for money held by the District as trustee or agent for individuals, corporations, governmental entities and private organizations.

General Long-Term Debt Group of Accounts

These accounts are used to reflect the liabilities of the District for long-term indebtedness.

Restricted Fund - G.R. Grace Settlement

This fund is used to account for activity of the W.R. Grace Settlement and is restricted to cover expenditures for treatment cost of the water system.

(ii) **Basis of Accounting**

The accounts of all funds and general long-term debt group of accounts are maintained and presented by use of the cash method of accounting. Under this method, revenues are recorded when received and expenditures are recorded when they are paid. Accounts receivable are fully reserved until they are collected and recorded as income.

Appropriate balances of capital projects are carried forward in the Capital Projects Fund until completion of the project. Any unexpended balances may only be transferred to other capital appropriations.

(iii) **Fixed Assets**

Fixed assets are not recorded in the accounting records of the District. Funds used to acquire fixed assets are accounted for as expenditures in the fiscal year payment is made.

(iv) **Pension Plan**

Substantially all employees of the District are members of the Middlesex County Retirement Fund. The retirement system is partially funded by employee contribution. The District's annual contributions to the retirement system are

determined on a "Pay-As-You-Go" basis by the State Division of Insurance and are estimates of pensions actually payable during an accounting period. Each employee contributes 5%, 7% or 8% of his or her base pay depending on when they enter the system. The District's contribution for the year ended June 30, 1989 was \$38,097.

2. Departures from Generally Accepted Accounting Principles

The difference between accounting and reporting practices prescribed or permitted under the Commonwealth's uniform system and generally accepted accounting principles relate principally to the basis of accounting.

Under generally accepted accounting principles the District's General Fund would be accounted for on the accrual method. Under this method, revenues are recognized in the accounting period in which they are earned and become measurable and expensed are recognized in the accounting period incurred. However, any modifications required to conform to the accrual method would not be material at June 30, 1989.

3. Restricted Fund - W.R. Grace Settlement

On April 5, 1988 the Treasurer, with guidance from the District Commissioners and Finance Committee, transferred \$1,750,000. of the W.R. Grace Settlement to the investment firm of Gardner & Preston Moss, Inc. It is the current intent to re-invest all net investment income and to withdraw funds as needed to maintain the treatment of the water supply.

SUPPLEMENTAL INFORMATION

WATER SUPPLY DISTRICT OF ACTON RECONCILIATION OF TREASURER'S CASH YEAR ENDED JUNE 30, 1989

Cash Balance July 1, 1988	\$1,050,750
Receipts	3,426,218
Disbursements	<u>(2,748,918)</u>
Cash Balance June 30, 1989	<u>\$1,728,050</u>
Composition of Cash Balance at June 30, 1989	
Checking Accounts:	
BayBank Middlesex	\$ (28,223)
Shawmut Bank	953
Escrow	2,159
Savings Accounts:	
Massachusetts Mutual Depository	1,487,613
Shawmut Money Market	265,499
BayBank Middlesex	49
	<u>\$1,728,050</u>
Presentation of Cash in Balance Sheets	
General Fund	\$1,725,891
Agency Fund	2,159
	<u>\$1,728,050</u>

WATER SUPPLY DISTRICT OF ACTON DEBT REQUIREMENTS TO MATURITY JUNE 30, 1989

Fiscal Year Ended June 30,	Principal	Interest	Total Requirements
1990	\$430,000	\$243,785	\$673,785
1991	430,000	213,320	643,320
1992	405,000	183,525	588,525
1993	365,000	154,855	519,855
1994-1998	<u>1,895,000</u>	<u>512,337</u>	<u>2,407,337</u>
	\$3,525,000	\$1,307,822	\$4,832,822

**WATER SUPPLY DISTRICT OF ACTON
SERIAL BONDS PAYABLE
YEAR ENDED JUNE 30, 1989**

	<u>Description</u>	<u>Original Amount</u>	<u>Interest Rate</u>	<u>Date of Issue</u>	<u>Date of Maturity</u>	<u>Balance 7/1/88</u>	<u>Additions</u>	<u>Retirements</u>	<u>Balance 6/30/89</u>
29	Nagog Hill Reservoir	\$540,000	5.70%	11/15/74	11/15/92	\$150,000		\$30,000	\$120,000
	Water Mains	385,000	5.70%	11/15/74	11/15/90	65,000		25,000	40,000
	Water Mains	220,000	4.85%	10/01/78	10/01/91	40,000		10,000	30,000
	Building	130,000	4.85%	10/01/78	10/01/91	40,000		10,000	30,000
	Water Mains	910,000	9.55%	06/15/82	06/15/94	430,000		80,000	350,000
	Water Mains	595,000	7.47%	06/01/85	06/01/97	445,000		30,000	395,000
	Water Mains	625,000	6.39%	08/15/86	02/15/98	515,000		55,000	460,000
	Wampus Reservoir	1,700,000	6.71%	12/01/89	06/01/01		1,700,000		1,700,000
	Kennedy Well	400,000	6.71%	12/01/89	06/01/01		400,000		400,000
						<u>\$1,685,000</u>	<u>\$2,100,000</u>	<u>\$260,000</u>	<u>\$3,525,000</u>

WATER MEETING

Abstract of the proceeding of the Annual Meeting of the Water Supply District of Acton, held in the Acton-Boxborough Regional High School Auditorium, Charter Road, Acton

WEDNESDAY, MARCH 15, 1989, at 7:30 PM

ARTICLE 1. VOTED: To fix the salaries of the elected officials as follows:

Chairman of the Commissioners	\$1,200.00 per year
Two (2) Commissioners	\$1,000.00 per year
Moderator	\$50.00 per meeting
Clerk	\$600.00 per year

(Unanimous)

ARTICLE 2. VOTED: To accept the reports of the Commissioners, the Treasurer and other officers and committees of the District.

(Unanimous)

ARTICLE 3. VOTED: That the District authorize the Treasurer, with the approval of the commissioners, to borrow in anticipation of the revenue for the fiscal year beginning July 1, 1989, in accordance with provisions of General Laws, Chapter 44, Section 4, and to renew any note or notes as may be given for a period of less than one year, in accordance with the provisions of General Laws, Chapter 44, Section 17.

(Unanimous)

ARTICLE 4. VOTED: To appropriate from estimated receipts of the District the sum of \$1,436,910.00 for maintenance and operation of the District, and specific appropriations as follows:

Estimated Budget Expenditures for 1989 - 1990

Salaries & Wages	\$ 367,000.00
Group Insurance	34,000.00
Middlesex County Retirement	42,000.00
Educational Expenses	6,000.00
Maintenance & Operation	60,000.00
Maters	10,000.00
Auto & Equipment Expense	17,000.00
Fuel	5,000.00
Equipment Rental	2,000.00
Permanent Paving	4,000.00
Chemicals	50,000.00
Lights, Power & Telephone	60,000.00
Laboratory Analysis	3,000.00
Treatment Plant - Special Analysis	None
Insurance	45,000.00
Office Supplies	9,000.00
Postage	4,500.00
Mass. State Audit	Carryover
Legal & Accounting	15,000.00
Water Words Notice	1,500.00
Advisory Committee	None
Miscellaneous	1,000.00
Land Survey	Carryover
Land Appraisal	None
	10,000.00

Survey New Water	Carryover
Bonds & Interest	655,910.00
Reserve Fund	35,000.00
Special Legal	None
Total Budget	<u>1,436,910.00</u>

Estimated Receipts for 1989 - 1990

Hydrants	\$ 58,814.00
Water Rates	1,244,971.00
Sprinklers	13,125.00
Repairs & New Installations	<u>120,000.00</u>
Total Receipts	<u>1,436,910.00</u>

(Unanimous)

ARTICLE 5. VOTED: That the District transfer from surplus revenue the sum of \$13,781.00 for the purchase of a new car, and to authorize the Commissioners to trade or sell the 1984 Chevrolet Celebrity.

(Unanimous)

ARTICLE 6. VOTED: That the District authorize the Commissioners to transfer from Receipt Reserve for Appropriation Account (W.R. Grace 1987 Settlement) the sum of \$60,000.00 for the maintenance and operation, carbon replacement and power costs at the various treatment plants operated by the District.

(Unanimous)

ARTICLE 7. VOTED: That the District transfer from surplus revenue, the sum of \$10,000.00 to install a precast utility building and related equipment at the Assabet Well #2 in South Acton off High Street.

(Unanimous)

ARTICLE 8. VOTED: That the District authorize the Commissioners to purchase or take by eminent domain, or otherwise acquire, the fee in all or part of the land owned now or formerly by Mary S. Marshall located on the westerly side of Main Street, Acton, Middlesex County, Massachusetts, containing about 4.2 acres, more or less, and being a part of the land shown on Owner's Land Court Certificate 101462, recorded in Land Court Registration Office, Book 637, Page 112. Said land acquisition is for the protection of existing water supply sources and well field; and to authorize the District to transfer from surplus revenue the sum of \$14,700.00 for said acquisition.

(Unanimous)

ARTICLE 9. VOTED: That the District transfer from surplus revenue the sum of \$3,500.00 to purchase a dirt compactor and portable welder.

(Unanimous)

ARTICLE 10. VOTED: That the District authorize the Treasurer, with the approval of the Commissioners, to transfer to the surplus revenue account the following unexpended balances remaining after the completion of projects authorized by vote of the District.

A. Unexpended balance in the sum of \$421.00 for project completed under Article 7 of the Annual Meeting held March 19, 1980, which approved updating the District Master Plan.

B. Unexpended balance in the sum of \$10,213.44 for project completed under Article 6 of the Special Meeting held November 21, 1983, which approved Hydrological Study around Clapp Well.

C. Unexpended balance in the sum of \$1,006.00 for project completed under Article 14 of the Annual Meeting held March 21, 1984, which approved a Corrosive Study.

D. Unexpended balance in the sum of \$10,000.00 for project completed under Article 13 of the Annual Meeting held March 19, 1986, which approved Monitoring contamination before it reached wells in the School Street area.

E. Unexpended balance in the sum of \$70.00 for project completed under Article 15 of the Annual Meeting held March 19, 1986, to install a backup power source for Assabet Wells I and II.

(Unanimous)

ARTICLE 11. VOTED: That the District vote to transfer from surplus revenue the sum of \$10,000.00 to install an automatic control valve to prevent surges at the Conant Well located off Route 27, Main Street Acton Center.

(Unanimous)

ARTICLE 12. VOTED: That the District accept the provision of Section 42J of Chapter 40, Massachusetts General Laws, as provided by Chapter 42 of the Acts of 1988 which allows upon application of an owner receiving an exemption for property taxes to defer charges for water supplied to the property.

(Unanimous)

ARTICLE 13. VOTED: That the District amend the By-Laws of the District as provided by Chapter 42 of the Acts of 1988, by adding a new Section 14 to said By-Laws of the District:

Section 14: District authorizes the Commissioners to establish quarterly due dates for payment of water charges and bills, and to authorize the Commissioners to fix a rate of interest which shall accrue if such charges or bills remain unpaid after such due dates, provided, however, such rate of interest shall not exceed the rate of interest which may be charges on tax bills under the provision of Section 57 of Chapter 59, Massachusetts General Laws, as amended.

(Unanimous)

ARTICLE 14. VOTED: That the District transfer from surplus revenue the sum of \$8,500.00 to undertake to install test wells and to do pumping tests to determine the feasibility of developing a well for well field as a possible water supply for the inhabitants of the Town of Acton on land owned by Marilyn E. Kunelius located on the southerly side of South Acton Road and the westerly side of Tuttle Lane in Stow, Mass., approximately one mile from the Stow and Acton Town boundry.

(Unanimous)

Adjourned: 825 PM

Water Supply District of Acton

A true copy:

Attest:

Anita E. Page
Clerk

March 15, 1989

WATER MEETING

Abstract of the proceedings of the annual election of officers of the Water Supply
District of Acton, Held on

MONDAY, APRIL 3, 1989

at the 5 precincts of the Town of Acton (Polls open from 7:00 AM to 8:00 PM)

Total number of ballots cast: 3,005

The following were elected:

Commissioner for 3 years: Ronald A. Parenti	1,646
Moderator for 1 year: John Putnam	2,290
Clerk for 1 year: Anita E. Page	2,265

A true copy:

Attest:

Anita E. Page
District Clerk

WATER MEETING

Abstract of the proceedings of the Special Meeting of the Water Supply District of Acton, held in the Acton-Boxborough Junior High School Auditorium, Charter Road at Massachusetts Avenue, Acton.

TUESDAY, NOVEMBER 28, 1989, at 7:30 PM

ARTICLE 1. VOTED: To transfer from Receipt Reserve for Appropriation Account (W.R. Grace Settlement Account) the sum of \$80,000.00 to build an air stripping packed column with air blower, pumps, electric controls, underground sumps and building and permanent treatment plant at District's well site in North Acton located off Route 27.

(Unanimous)

ARTICLE 2. VOTED: To transfer from surplus revenue to the legal-accounting account the sum of \$20,000.00 to pay for current legal expenses and future legal fees not contemplated in the 1989-1990 budget.

(Unanimous)

ARTICLE 3. VOTED: To authorize the Commissioners to enter into a long term written lease, with options to extend for a period not to exceed twenty (20) years, with NYNEX Mobile Communications Company, Woburn, Massachusetts, for the purpose of allowing the lessee to construct a building and communication tower on land owned by the District on Great Hill located off Main Street in South Acton. The written lease shall include a yearly rental during the initial five year term in the amount of \$12,000.00, with annual adjustments for each subsequent year during any five year term based on the appropriate cost of living index; and to include at the exercise of each option to extend for an additional five year term, an increase in the annual base rent of not less than 25%. The lease shall include such other terms, conditions and limitations as the Commissioners shall deem necessary and proper to protect the public water supply and to satisfy the requirements and regulations of the Department of Environmental Protection, and to comply with the Acton Board of Appeals decision dated November 9, 1989, Case No. 89-30.

(Unanimous)

ARTICLE 4. VOTED: To authorize the Commissioners to submit to the Massachusetts Legislature a special act to amend Chapter 326 of the Acts of 1912 to permit the District to extend domestic water service and fire protection to land located in Acton and Littleton and containing 1.88 acres of land, more or less, and being a part of the land described in a deed recorded in Middlesex South District Registry of Deeds, Book 18953, Page 23, owned by Kirk Ware, Trustee of Edgewater Trust, with a mailing address at 32 Nagog Park, Acton, for the purpose of furnishing water service and fire protection to a child care center and if said use is discontinued for two (2) or more years, the District shall discontinue water service and fire protection, without liability to the District.

(Unanimous)

ARTICLE 5. VOTED: To authorize the Commissioners to accept various easement deeds for water mains constructed or to be constructed on land now or formerly owned by Chauncy W. Waldron, Jr. and Arleon S. Waldron and being shown on a

plan entitled, "Plan of Land in Acton, Massachusetts, for Authentic Homes, Inc., dated May 3, 1989", located in South Acton at the intersection of Independence Road and Parker Street.

(Unanimous)

Adjourned: 8:45 PM

A true copy:

Attest:

Anita E. Page
Clerk

November 28, 1989

WATER SUPPLY DISTRICT OF ACTON
RULES, REGULATIONS AND RATES
Amended February 12, 1990

The following Rules and Regulations shall be considered a part of the Contract with every person using the water.

1. All applications for the use of water are available at the Whitcomb Pumping Station, Mass. Avenue. Demand charge schedule is set forth as follows:

<u>PIPE SIZE</u>	<u>DEMAND CHARGE</u>
1 inch	2520.00
1 ½ inch	7440.00
2 inch	15840.00
Over 2 inch	20000.00
Multi-dwelling (per apt. or each living unit)	1200.00

SPRINKLER DEMAND CHARGES

Buildings up to 20,000 square feet	\$ 500.00
Buildings between 20,000 square feet and 40,000 square feet	1000.00
Buildings between 40,000 square feet and 60,000 square feet	1500.00
Buildings between 60,000 square feet and 80,000 square feet	2000.00
Buildings over 80,000 square feet	2500.00

Pipe size and type for any installation will be determined by the Water Commissioners or their agents. Costs of installation service will be charged to applicant separate of the demand charge. Costs will be paid before the water is turned on. The demand charges are payable prior to service connection.

2. Costs of new service installations from the water main into the house, including meter, shall be paid for by the owner or applicant before the water will be turned on.
3. No person will connect, or cause to be connected, any service pipe with the main or any distributing pipes, except by order of the Water Commissioners made on such application for new service. No permanent outside sprinkler system shall be allowed unless approved by the Board of Health.
4. Periodic inspection of pipes to the meter may be made by the District Manager or Foreman. When equipment is found defective all payment for the necessary repairs between the property line and the meter shall be assessed to the owner. Persons allowing their meter to be damaged by frost or otherwise will be held responsible therefore. The District will keep meters in repair from ordinary derangements.
5. All apparatus and all places supplied with water must be accessible at all reasonable times to the inspection of the Commissioners or their agents.
6. No alterations shall be made to the service installed by the Water District except by authorized agents of the Water District.

7. The Water District shall not in any way, nor under any circumstances, be held liable or responsible to any person or persons for any loss or damage from any excess or deficiency in the pressure, volume or supply of water, due to any cause whatsoever. The Water District will undertake to use all reasonable care and diligence to avoid interruptions and fluctuations in the service, but cannot and does not guarantee that such will not occur.
8. The Water District will not be responsible for damages caused by dirty water resulting from the opening or closing of any gates for repairs or any other reasons, the use of hydrants, or the breaking of any supply lines.
9. The Water District will endeavor to give due notice to as many of the consumers affected as time and character of the work permit whenever it may be necessary to shut off the supply from any section of the District to make repairs or changes or because of broken main and will as far as practicable, use every effort to prevent damage or inconvenience; but failure to give such notice will not involve the Water District in any responsibility or liability for damage arising from the shutting off of any supply or any subsequent conditions arising therefrom.
10. The Water District reserves the right at any time without notice to shut off the water supply for purpose of making repairs, extensions, or other reasons, and all consumers having boilers or other appliances on their premises are hereby warned against danger of collapse from these sources and are urged to provide safety devices for their own protection. In any event the District expressly stipulates that there shall be no liability for damages resulting therefrom.
11. The Water District will not assume any liability for conditions in the consumer's plumbing or appliances, which may be the cause of the trouble, coincident with the following repairs made to any part for the supply system by the District.
12. Service pipes or fixtures of any description, that are connected with the mains of the Water District, shall not under any circumstances be connected with any other sources of water supply.
13. The Water Commissioners reserve the right to shut off water for the purpose of making alterations or repairs. A water service may be shut off from any taker for non-compliance with the Rules and Regulations for non-payment of the water rates and violation of Massachusetts General Laws relating to water supply. When water has been shut off because of disregard of rules or non-payment of rates it will be turned on again when the Commissioners are satisfied that there will be no further cause of complaint and on the payment of fifteen dollars. With the approval of the Department of Environmental Quality Engineering (Chapter 40, Section 41A of the MA General Laws), the Commissioners reserve the right to restrict the use of water if necessary in any manner deemed appropriate.
14. The Fire Department will have control of the hydrants in case of fires and for necessary practice. In no other case will any person be allowed to handle hydrants or other water apparatus without permission of the Water Commissioners.
15. No water taker will be allowed to supply water to others except by special permit from the Board of Water Commissioners and found doing so without a permit, the supply will be shut off.
16. Owners should notify the Water District to shut off water if the building becomes vacant. Water will be turned on again when the owner notifies the Water District and upon the payment of eighteen dollars for turn-on.
17. All bills for new services, repairing old services, supplies and labor, must be paid within thirty days from the date of the bill.

18. The water may be turned off without notice when bills for water remain unpaid for fifteen days after they become due, thirty days from the date of issue. Owners of premises will be held responsible for the water bills of their tenants. Unpaid water bills are now lien on real estate and collections may be made on the sale of property: Massachusetts Legislature, Acts of 1923, Chapter 391.

19. Any person who shall remove, change, alter or willfully damage or injure any meter will be liable for all damages. Any change in meter location shall be done under the direction of the District Manager or Foreman.

20. On all dwelling houses, apartments and condominiums, a minimum charge shall be made for water for each family or living unit for which the owner or owners shall be liable, if it is desired that all water flow through one meter. Larger quantities of water shall be charged on the above same basis.

On all business and/or professional buildings, for non-dwelling use, there shall be a charge for each toilet and/or lavatory facility, for which the owner shall be liable.

The District Manager or authorized agent shall be empowered by the Commissioners to confer with the owner or his agent to establish the number of facilities for which the minimum service charge shall be made. The minimum payment will be applied toward charge for the water at the rates established under the rules and regulations for the Water Board, but if less quantity of water is used than the quantity for which the minimum charge would pay, no deduction from the minimum charge will be made.

21. VOTED: That the District amend the By-Laws by adding a new section ten which reads as follows: "Any person violating any order restricting water use imposed by vote of the Commissioners shall be fined not more than \$200.00 for each offense, which shall inure to the District for such uses as the Commissioners may direct. Fines shall be recovered by indictment or on a complaint before the district court, or by non-criminal disposition in accordance with section twenty-one D of Chapter 10 of the General Laws. Every day that such violation continues shall constitute a separate offense."

22. Effective January 1, 1990 water users will be billed as follows: Minimum Price at which water will be furnished, including the use of the meter, will be \$20.00 per each 3 months period. This will allow the use of 1000 cubic feet each 6 months, with not refund or abatement for amounts of water less than 1000 cubic feet used.

On January 1, and July 1, a minimum charge of \$20.00 will be made to each user. Excess water for each 6 months period will be billed in October and April as follows:

Water usage in excess of 1000 cubic feet shall be billed at the rate of \$1.95 per 100 cubic feet.

A minimum charge shall apply to each family or living unit. A minimum charge shall apply to all non-residential users in accordance with applicable sections of Rules, Regulations and Rates.

New owners having had possession of property less than 30 days and less than 1,000 cubic feet of water shall be billed at the rate of \$1.95 per 100 cubic feet.

There will be a minimum closing charge of \$5.00 for final water meter reading.

Water rates, demand charges, rental fees, hydrants and sprinklers and other charges imposed by the District shall be determined by vote of the Commissioners at a regular or special meeting of the Commissioners.

23. If a meter is out of order and fails to register, the consumer will be charged at the average daily consumption as shown by the meter when in order. An average will be taken of the last 3 corresponding readings.

24. Any and all penalties for violations of these regulations or arrearages for non-payment of water rates or charges may be collected as authorized by law in a civil action.
25. The Commissioners shall regulate the use of water in such manner as they deem for the best interest of the District, fix and collect prices and rates for the use thereof, prescribe the time and manner of the payment of such prices and rates. The Commissioners shall have exclusive charge and control of the water department and water system, subject to all lawful by-laws, and subject to such instructions as the District may from time to time impose by its vote.
26. The Water District will have an inspector on sites where new water main and necessary fittings are installed in new developments, private roads, business and commercial sites. The Water District shall charge an hourly fee which will be paid to the Water District by the owner, contractor or developer. All materials used shall meet the specifications of the Water Supply District of Acton.
27. No person shall turn on or tamper with water main or hydrant or other device used for water supply, or install a bypass around a water meter without first procuring a written permit to do so from the Manager of the Water District. Any person violating said section shall be fined not more than \$200.00 for each offense, which shall inure to the District or be recovered by indictment or on complaint before the District Court or by non-criminal disposition in accordance with section 21D of Chapter 40 of the General Laws. Every day that such violation continues shall constitute a separate offense. This section shall not curtail the fire department or Water District in the normal course of providing fire protection or water supply.
28. Any person making application for water use having a design demand in excess of 5,000 gallons per day, shall submit a concept plan with sufficient information so that the Water District can generate a Water Impact Report. This report shall: 1.) define the plan's impact on the District's current/future water demand and existing water supply system, and 2.) stipulate conditions that the applicant shall meet to mitigate the effects of this impact. The Water Impact Report shall be reviewed and approved by the Water Commissioners. Costs associated with generating the Water Impact Report shall be borne by the applicant.
29. All new Industrial and Commercial Establishments attached to the Acton Water System will be required to install, at the service entrance and immediately downstream of the meter, a Reduced Pressure (RP) Back Flow Device. The Device must be approved by the Acton Water District and all costs will be paid by the owner/s and or the person/s to whom the bills are so assigned.
30. Effective June 30, 1988, the Board of Water Commissioners voted to place a moratorium on, not allowing any underground lawn sprinkler systems to be tapped off public water mains or services.
31. Underground Lawn Sprinkler Regulations Effective November 13, 1989
- I. For systems installed between September 11, 1979 and June 3, 1988:
1. All systems must have rain gauges installed to prevent use when raining.
 2. If system is on automatic timers, it must be equipped to accommodate odd and even watering restrictions.
 3. All present systems install backflow valves, watts #800 or equal.
 4. All backflow valves must be inspected by the Water District once a year to insure they are working properly. All costs will be the owners' responsibility.
 5. The property owner must have approval from the board of Health and a plan submitted to them showing the system location and approval from the local plumbing inspector, and must also follow State Laws.

6. Any lawn sprinkler system not meeting the above criteria will be disconnected from the public water supply system.
- II. Systems installed prior to 1979, that become defective, must be repaired to meet current standards.

BY ORDER OF THE
ACTON WATER COMMISSIONERS
Stephen C. Stuntz, *Chairman*
Leonard A. Philips
Ronald R. Parenti

WATER FILTERS

The Acton Water District has adopted a guideline concerning the public use of filter devices on the water supply system. This is based on a general policy promulgated by the D.E.Q.E. (DWS Policy 88-07), advising water purveyors to prohibit the use of such devices on the drinking water supply. Although properly designed barrier filters have proven effective on screening contaminants out of influent streams, concern exists regarding an efficiently implemented maintenance program to assure successful and continued operation. A clogged or abused water filter could foster potential conditions for bacteria to thrive, thus contributing to in-line contamination of the drinking water supply.

WATER FILTER GUIDELINES

The Water Supply District of Acton prohibits the installation by public water consumers of any device in the domestic water supply, including, but not limited to Point of Entry or Point of Use filters that are utilized within the confines of the consumer's premises. Regulatory Agencies, including the Department of Environmental Quality Engineering and the Department of Health are not recommending these systems for utilization in the drinking water supply system. Such devices are considered potentially deleterious to the Public Health, because they promote the proliferation of bacterial and viral growth and development.

BYLAWS TO REGULATE THE NOMINATION AND
ELECTION OF OFFICERS OF THE DISTRICT

- I The purpose of the Bylaws hereinafter set forth are to regulate the nomination and election of officers for the District so that the voters of the District may have knowledge of the candidates prior to an election.
- II All elections to any office in the District shall be by means of a printed ballot. This ballot shall be caused to be printed by the Commissioners acting as election officers from information furnished to them by the Clerk of the District as provided hereinafter.
- III No person's name shall be printed on the ballot unless he or someone on his behalf has submitted nomination papers signed by fifty registered voters of the District, setting forth the office for which he is a candidate and containing a statement signed by the candidate that he will accept the office, if elected. Nomination papers of a candidate for office of the District shall be filed with the Clerk of the District in accordance with Chapter 53, Section 10 of the General Laws. Submission to the Registrar of Voters shall be in accordance with Chapter 41, Section 115 of the General Laws.
- IV Nothing herein shall be construed as preventing a vote by stickers or writing in the name of a candidate, all as provided in the General Laws, except that no such sticker or write-in candidate shall be deemed to be elected unless he has received valid votes equivalent to 1% of the total of the number of registered voters in the District, as hereinafter determined.
- V The Commissioners, acting as election officers, shall prepare as of twenty (20) days prior to the annual Election, a list of eligible voters from the official voting list of the Town of Acton as of that time. This list shall remain closed until after the annual meeting of the District. The list shall then be reviewed and revised for all subsequent special meetings, up to the day of the special meeting. These lists shall then be used to determine the right of any person to vote at any election or any meeting of the District.
- VI All candidates elected to offices in the District shall be sworn to the performance of their duties by the Clerk of the District, except in the case of the Clerk, who shall be sworn by any of the Commissioners. The Clerk shall make a record of the facts in the minutes of the meeting.
- VII Elections and Nominations of district officers shall be conducted in accordance with chapters fifty to fifty-six, inclusive, of the General Laws so far as applicable, except as otherwise provided in sections one hundred and fourteen to one hundred and seventeen of Chapter 41 of the General Laws, inclusive, and except as otherwise provided by the district bylaw.

BYLAWS

(as adopted and amended to March, 1989)

- I The annual meeting of the Water Supply District shall be held on the third Wednesday of March of each year for the transaction of the necessary business connected with the District, and election of officers shall be held on the first Monday of April of each year. The time and place of holding such election and vote shall be stated in the warrant for the annual meeting and such election and vote shall be deemed part of the Annual District Meeting.
- II All meetings may be called by a majority of the Board of Water Commissioners, directed to the Clerk, or as specified in Chapter 326 of the Acts of 1912, Section 8.
- III All warrants shall be posted at least fourteen (14) days before the time of the meeting.
- IV The Clerk shall preside at each meeting until a Moderator is chosen.
- V At each annual Election Day there shall be elected by ballot, one Commissioner for a term of three years, a Clerk and a Moderator who shall serve for one year.
- VI If a vacancy should occur for any cause in the office of Clerk, Treasurer, or any other officer of the District except the Board of Water Commissioners, it may be filled for any such unexpired term by the Water Commissioners.
- VII The Board of Commissioners shall annually in the report to the District, give an estimated budget for the ensuing year.
- VIII
 - a) The Moderator shall appoint a Finance Committee to advise the Commissioners. The Committee shall consist of three voters of the District and shall be appointed in the following manner:
 - One member shall be appointed for one year;
 - One member shall be appointed for two years; and
 - One member shall be appointed for a term of three years.Thereafter, each appointment shall be for a term of three years.
 - b) No member of the Finance Committee shall serve any other standing committee of the District of the Town of Acton having to do with expenditure of funds.
 - c) The Finance Committee shall review the budget for the Annual Meeting and shall make recommendations to the Commissioners on any matters of a financial nature arising out of an Annual or Special Meeting, and shall make recommendations as to the long range fiscal plans of the District.
- IX The Commissioners shall appoint annually a Treasurer-Collector which office shall have all the powers and duties conferred by law upon a collector of taxes and district treasurer.
- X Any person violating any order restricting water use imposed by vote of the Commissioners shall be fined not more than \$200.00 for each offense, which shall inure to the district for such uses as the Commissioners may direct. Fines shall be recovered by indictment or on a complaint before a district court, or by non-criminal disposition in accordance with section Twenty-one D of Chapter 40 of the General Laws. Every day that such violation continues shall constitute a separate offense.

- XI a) A five member Water-Land Management Advisory Committee is hereby established. Two members to be appointed by the Commissioners for a term of three years, two members to be appointed by the Moderator of the District for a term of two years, one member to be appointed by the Selectmen for a term of one year. Thereafter, each appointment shall be for a term of three years.
- b) The Advisory Committee shall review and make recommendations to the Commissioners on matters relating to water and land management policies of the district and shall make recommendations to the Commissioners on any matters relating to agreement authorized under the "Bylaw to Regulate the Removal of Sale of Sand and Gravel from Lands in District Use," and shall undertake such other tasks related to water and land management as the Commissioners deem appropriate.
- XII No person shall turn on or tamper with a water main or hydrant or other device used for water supply or install a bypass around a water meter without first procuring a written permit to do so from the Manager of the Water District. Any person violating said section shall be fined not more than \$200.00 for each offense, which shall inure to the District for such uses as the Commissioners may direct. Fines shall be recovered by indictment or on complaint before the District Court or by non-criminal disposition in accordance with section 21D of Chapter 40 of the General Laws. Every day that such violation continues shall constitute a separate offense. This section shall not curtail the fire department or Water District in the normal course of providing fire protection or water supply.
- XIII a) No person shall maintain upon premises which they own or occupy, a physical cross connection between the distribution system of a public water supply, the water of which is being used for drinking, domestic, or culinary purposes, and the distribution system of any unapproved water supply, unless the installation has been reviewed and approved by the Water District and permits have been issued in accordance with the Drinking Water Regulations of the Department of Environmental Quality Engineering.
- b) That the Water District shall have the authority to terminate any water source to any facility where cross connections are maintained without required backflow prevention devices which have been approved by the District.
- c) That the Commissioners shall enact such Cross Connection Control Program and Regulations as are necessary to protect the public potable water supply served by the District from the possibility of contamination or pollution by isolating within its customers' internal distribution system, such contaminants or pollutants which could backflow or back siphon into the public water system; and to promote the elimination or control of existing cross connections between its customers; in-plant potable water system, and not-potable water system; and to provide for maintenance of a continuing program of cross connection control which will effectively prevent the contamination or pollution of all potable water systems by cross connection.
- XIV District authorizes the Commissioners to establish quarterly due dates for payment of water charges and bills, and authorizes the Commissioners to fix a rate of interest which shall accrue if such charges or bills remain unpaid after such due dates, provided, however, such rate of interest shall not exceed the rate of interest which may be charged on tax bills under the provision of Section 57 of Chapter 59, Massachusetts General Laws, as amended.

NEW BY-LAW

"By-Law to Regulate the Removal and Sale of Sand and Gravel from Lands in District Use."

Section One. The purpose of this bylaw is to regulate the removal of sand and gravel on lands owned or leased by the district so as to promote safe and sound economic development, improvement and management of said land; and protect and preserve the purity of the water supply, wells and aquifers.

Section Two. The Commissioners shall fix a reasonable time for a public hearing on any proposal for removal and sale of sand and gravel from land in district use. Notice of the public hearing shall be given at least two weeks prior to the hearing by publication of the time, place and purpose of the hearing in a local newspaper, and by mailing a copy of said notice to the owners of all property within five hundred (500) feet of the property line of the district land as they appear on the most recent applicable tax list. Included in the list of owners shall be abutters, owners of land directly opposite on any public or private street, and abutters to abutters within the five hundred (500) feet aforesaid.

The public hearing shall be held no later than 21 days prior to the business meeting of the district which includes an appropriate warrant article for action by voters of the district. Action by voters of the district on any article permitting the Commissioners to enter into a written contract for removal and/or sale of earth materials from lands of the district shall require a two-thirds vote. At the public hearing the Commissioners shall present evidence of the need for excavation, removal and/or sale of earth materials from district lands; the depth and limits of excavation; a site specific map of wetlands, limits of 100 year flood plain, vegetation, surface waters, topography (before and after), property lines and adjacent land uses; and estimation of high water table on the land.

Section 3. In entering into a written contract not to exceed one year, the Commissioners shall impose conditions and specifications including but not limited to the following:

- A. A detailed plan showing limits and phases of excavation.
- B. Specific and reasonable hours of operation, including truck arrival and departure.
- C. Required stockpiling of topsoil for use in restoration.
- D. Prohibition of excavation within 10 feet of the annual high water table.
- E. Prohibition of removal within 100 feet of property lines and existing public ways.
- F. Limitation of work faces to 10 vertical feet and requirement that all faces shall be broken down to their natural angle of repose at the end of each working day. Any existing non complying faces shall be reduced as fast as safety and practical engineering permit.
- G. Maintenance of natural vegetation on undisturbed land for screening and noise reduction purposes, and provision for dust suppression on the site.
- H. A requirement that restoration be carried on simultaneously with excavation, so that when any three acres operation area has been excavated, at least two acres shall be restored before work commences on the next contiguous three acres, so that at no time will more than four acres be unrestored.
- I. Provisions to grade slopes safely, loam and revegetate all disturbed areas.
- J. Removal of debris, stumps, boulders, etc. from the site and dispose of in an approved location or, in the case of inorganic matter, buried and covered with at least two feet of soil.
- K. A requirement that all retained subsoil and topsoil be spread over the disturbed area and seeded. Trees or shrubs of prescribed species will be planted to provide screening and reduce erosion during the establishment period.

- L. A requirement that final restoration work be completed within 60 days, weather permitting, after completion of excavation operations.
- M. A requirement of posting of surety bond, performance and payment bond or other adequate security to insure compliance with terms of the contract.
- N. Regular inspection by the Commissioners or their agent at reasonable hours to insure that contract provisions are being adhered to, and provision for halting operations for any violation.
- O. Other appropriate conditions, limitations and safeguards as the Commissioners deem necessary for the protection of the public health, safety, convenience and welfare, and for protection and preservation of the purity of the water.

