

ANNUAL REPORT
OF THE
WATER SUPPLY DISTRICT
OF
ACTON, MASSACHUSETTS



For the Year Ending December Thirty-first

1990

**WATER DISTRICT OF ACTON
ANNUAL REPORT
DEDICATED TO
STEPHEN G. (PETE) PETERSON**



COLLECTOR/TREASURER

1971 - 1991

For twenty years Steve served the interests of the Water Supply District of Acton as a truly dedicated employee. We all wish him a very long and healthy retirement.

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WATER DISTRICT ORGANIZATION - 1990

ELECTED OFFICIALS

COMMISSIONERS

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

CLERK

Anita E. Page

MODERATOR

John W. Putnam

APPOINTED OFFICIALS

FINANCE COMMITTEE

William L. Kingman, *Chairman*
Charles Bradley
Theodore Jarvis

ATTORNEY

Charles E. Orcutt, Jr.

ACCOUNTANT

Raymond L. Page

TREASURER & COLLECTOR

Stephen G. Peterson

ACTON WATER DISTRICT STAFF - 1990

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

ORGANIZATION - 1990

Water Commissioners

Leonard A. Phillips	Term expires 1991
Ronald R. Parenti	Term expires 1992
Stephen C. Stuntz	Term expires 1993

Moderator

John W. Putnam	Term expires 1991
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Clerk

Anita E. Page	Term expires 1991
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Finance Committee

Charles Bradley	Term expires 1991
William L. Kingman	Term expires 1993
Theodore Jarvis	Term expires 1993

*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 1991
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Accountant

Raymond L. Page	Term expires 1991
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Attorney

Charles E. Orcutt, Jr.	Term expires 1991
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WARRANT

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 26, 1991
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 20, 1991

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, 1991, 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 what sums of money the District will vote to raise and appropriate to defray the usual expenses of the District.

ARTICLE 5. 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 6. To see if the District will vote to transfer from Surplus Revenue a certain sum of money to purchase a used Dump Truck and authorize the Commissioners to sell a 1969 GMC Dump Truck, 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 install a Precast Utility Building and related equipment at the Great Hill Storage Tank located in South Acton off Main Street (Rte. 27), 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 install a Precast Utility Building and related equipment at the Nagog Hill Storage Tank located in Acton Center off Nagog Hill Road, 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 repair broken facial cement at the Ethan Allen Storage Tank located in Acton off Ethan Allen Drive and to install a Precast Utility Building, or to take any other action relative thereto.

ARTICLE 10. To see if the District will vote to transfer from Surplus Revenue a certain sum of money to paint and seal various leaking rivets at the Great Hill Storage Tank, located in South Acton off Main Street (Rte. 27), or to take any other action relative thereto.

ARTICLE 11. To see if the District will vote to transfer from Surplus Revenue a certain sum of money to convert to office space the second floor in the existing Harlan Tuttle Building, located at 693 Massachusetts Avenue, Acton, or to take any other action relative thereto.

ARTICLE 12. To see if the District will vote to transfer from Surplus Revenue a certain sum of money to treat water being pumped from the Clapp Well and the

Whitcomb Well located off Massachusetts Avenue, in Acton to remove color and aesthetic problems, or to take any other action relative thereto.

ARTICLE 13. To see if the District will vote to authorize the Treasurer with the approval of the Commissioners to transfer the following unexpended balances remaining after the completion of projects authorized by vote of the District to the Surplus Revenue Account, or to take any other action relative thereto.

A. Unexpended balance in the sum of \$12,263.00 for project completed under Article 12 of the Annual Meeting held March 21, 1990, which approved of installing a water main on District property to Independence Road in South Acton.

B. Unexpended balance in the sum of \$149.00 for project completed under Article 11 of the Annual Meeting held March 16, 1988, which approved of installing a PreCast Building over the Lawsbrook Well located in South Acton.

C. Unexpended balance in the sum of \$156.22 for project completed under Article 5 of the Annual Meeting held March 15, 1989, to purchase a new vehicle.

D. Unexpended balance in the sum of \$1,279.05 for project completed under Article 7 of the Annual Meeting held March 21, 1990, to purchase a new truck.

E. Unexpended balance in the sum of \$131.00 for project completed under Article 7 of the Annual Meeting held March 15, 1989, which approved of installing a PreCast Building over the Assabet Well #2 located in South Acton.

F. Unexpended balance in the sum of \$15.35 for project completed under Article 11 of the Annual Meeting held March 15, 1989, to install an Automatic Control Valve at the Conant Well located in Acton.

G. Unexpended balance in the sum of \$4,980.00 for project completed under Article 15 of the Annual Meeting held March 21, 1984, to artificially recharge the Scribner Well Field located in South Acton.

H. Unexpended balance in the sum of \$321.00 for project completed under Article 6 of the Special Meeting held November 30, 1988, to install a sealed vault at the Whitcomb Office Building, 693 Massachusetts Avenue, Acton, Massachusetts.

I. Unexpended balance in the sum of \$2,905.30 for project completed under Article 15 of the Annual Meeting held March 21, 1990, to clean and chemically treat the Marshall and Scribner Wellfields located in Acton.

J. Unexpended balance in the sum of \$12,912.25 for project completed under Article 6 of the Annual Meeting held March 20, 1985, to treat 8 wells with Potassium Hydroxide to raise the pH in our water.

K. Unexpended balance in the sum of \$200.00 for project completed under Article 13 of the Annual Meeting held March 3, 1980, to install a water main from Lawsbrook Road to the new wellfield located in South Acton.

L. Unexpended balance in the sum of \$111.70 for project completed under Article 12 of the Annual Meeting held March 16, 1988, to install a Laboratory Facility at the Whitcomb Office Building located at 693 Massachusetts Avenue, Acton, Massachusetts.

M. Unexpended balance in the sum of \$8,500.00 for project not completed under Article 14 of the Annual Meeting held March 15, 1989, to possibly install a future public well in the town of Stow on land owned by Marilyn E. Kunelius.

ARTICLE 14. To see if the District will vote to authorize the Commissioners to enter into a written lease for one year with Bay State Explosives Company, Inc., a Massachusetts Corporation having a usual place of business in Acton, Massachusetts, for the purpose of continued use of three magazines for the storage of explosives on land owned by the District located off Powder Mill Road and New High Street in said Acton, 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 to inspect the interior of two cement storage tanks, one located off Ethan Allen Drive and the other off Nagog Hill Road, or to take any other action relative thereto.

ARTICLE 16. To see if the District will vote to transfer from Surplus Revenue a certain sum of money for additional pumping tests to determine the feasibility of developing a well or wellfield as a public water supply on land owned by Brewster Conant located on the southerly side of Brook Street and the westerly side of Great Road in Acton Center, 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 of one thousand nine hundred and ninety-one.

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

A true copy ATTEST:

Anita E. Page
District Clerk

APPROPRIATIONS AND EXPENDITURES 89-90, 6 MONTHS of 91

	<u>1989</u> <u>Appro.</u>	<u>1989</u> <u>Expend.</u>	<u>1990</u> <u>Appro.</u>	<u>1990</u> <u>Expend.</u>	<u>1991</u> <u>Appro.</u>	<u>1991</u> <u>6 Months</u>	<u>1992</u> <u>Appro.</u>
Salaries & Wages	\$334,000.00	\$336,212.05	\$367,000.00	\$361,609.28	\$385,000.00	\$222,823.00	\$375,000.00
Health Insurance	27,000.00	27,270.37	34,000.00	38,272.80	45,000.00	30,666.00	75,000.00
Mdx. County Retirement	38,000.00	37,969.00	42,000.00	43,999.00	40,000.00	21,400.00	46,000.00
Educational Expense	6,000.00	5,999.28	6,000.00	5,676.01	6,000.00	906.00	4,000.00
Maintenance & Operation...	70,000.00	83,477.95	60,000.00	75,348.56	60,000.00	32,761.00	60,000.00
Meters	10,000.00	15,606.64	10,000.00	15,189.14	12,000.00	3,914.00	14,000.00
Auto & Equipment	17,000.00	12,668.63	17,000.00	14,660.39	15,000.00	10,280.00	16,000.00
Fuel	5,000.00	6,522.95	5,000.00	8,499.90	6,000.00	2,035.00	6,000.00
Equipment Rental	2,000.00	304.00	2,000.00	1,213.02	2,000.00	238.00	2,000.00
Permanent Paving	4,000.00	4,398.17	4,000.00	3,165.12	4,000.00	3,941.00	5,000.00
Chemicals	45,000.00	49,336.78	50,000.00	53,988.35	60,000.00	24,177.00	35,000.00
	c44,320.20		c39,953.00				
Lights, Power, Telephone	70,000.00	40,100.58	60,000.00	82,954.72	60,000.00	38,778.00	70,000.00
			c29,906.00				
Laboratory Analysis	5,000.00	4,451.25	3,000.00	3,521.00	4,000.00	1,242.00	4,000.00
	c3,191.56		c3,740.00				
Insurance/Domestic	48,000.00	48,000.00	45,000.00	44,959.10	51,000.00	37,280.00	56,000.00
Office Supplies	7,500.00	7,500.00	9,000.00	7,799.39	8,000.00	6,116.00	9,000.00
Postage	6,000.00	5,991.50	4,500.00	4,854.50	5,000.00	3,697.00	6,000.00
Audit	5,500.00	7,125.00	c7,375.00	7,625.00	9,500.00	8,365.00	9,500.00
	c9,000.00						
Legal & Accounting	12,000.00	49,011.10	15,000.00	39,445.61	20,000.00	6,429.00	12,000.00
	SA35,000.00		SA20,000.00				
Water Words Notice	1,000.00	1,303.14	1,500.00	1,154.58	1,500.00	1,328.00	1,500.00
	c362.14						
Advisory Committee	500.00	—0—	—0—	—0—	—0—	—0—	—0—
	c1,589.12						

Miscellaneous	1,000.00	1,064.51	1,000.00	999.80	1,000.00	335.00	1,000.00
Land Survey	—0—	—0—	c9,175.00	—0—	5,000.00	—0—	2,000.00
	c9,175.00						
Engineering	10,000.00	3,809.12	10,000.00	4,840.50	5,000.00	5,350.00	5,000.00
Survey New Water	2,000.00	—0—	c4,324.00			—0—	—0—
	c2,324.64						
Bonds & Interest	385,000.00	400,129.65	655,910.00	675,179.95	645,370.00	179,072.00	601,000.00
	c55,375.00		c40,245.00				
Reserve Fund	35,000.00	(25,688.11)	35,000.00	(15,904.11)	25,000.00	(350.00)	25,000.00
	<u>\$1,150,000.00</u>	<u>\$1,145,907.43</u>	<u>\$1,436,910.00</u>	<u>\$1,494,955.72</u>	<u>\$1,475,370.00</u>	<u>\$638,910.00</u>	<u>\$1,440,000.00</u>

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

	Estimated Receipts	Actual Receipts	Estimated Receipts	Actual 6 Months Receipts	Receipts Receipts	Actual 6 Months Receipts	Estimated Receipts
Hydrants	\$ 54,400.00	\$ 59,464.00	\$ 58,814.00	\$ 52,311.94	\$ —0—	\$ —0—	\$ —0—
Water Rates	1,045,100.00	1,025,738.00	1,244,971.00	1,227,569.86	1,400,370.00	773,747.00	1,376,800.00
Sprinklers	10,500.00	17,785.00	13,125.00	16,251.80	15,000.00	13,268.00	14,000.00
Repairs & New Installations	70,000.00	116,429.00	120,000.00	107,564.48	60,000.00	82,493.00	30,000.00
Land Lease Income							19,200.00
							<u>\$1,440,000.00</u>

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

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

	Original Amount	Balance 7/1/91	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	60,000.00	30,000.00 2,565.00	30,000.00 855.00								
Water Bonds	220,000.00	10,000.00	10,000.00 242.50									
Building	130,000.00	10,000.00	10,000.00 242.50									
Water Bonds	910,000.00	190,000.00	80,000.00 18,525.00	60,000.00 10,725.00	50,000.00 4,875.00							
Water Bonds	595,000.00	295,000.00	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	355,000.00	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	1,750,000.00	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	2,670,000.00	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 FOR THE YEAR 1990

During 1990 the Acton Water District completed construction of a major water storage facility that now provides a major increase in reserve water capacity and ensures adequate water pressure for fire-fighting purposes throughout North Acton. The new 3-million gallon William P. Walsh Reservoir, a pumped water storage facility on Wampus Hill, bounded on the east by Route 27 and on the south by Route 2A in North Acton, was dedicated on October 28. This state-of-the-art reinforced concrete tank, which is 140 feet in diameter and 26 feet high, was named after Dr. William P. Walsh, a professional geophysicist, who retired from the Board of Water Commissioners after nine years of distinguished service, in 1990. The low-profile design of the tank was chosen to ensure esthetic compatibility of the facility with the site, but because the overflow level of the reservoir is 110 feet below that of the other three storage facilities elsewhere in the water system, a booster pumping station is used on the site to draw water from the reservoir and into the distribution system at system pressure levels.

In addition, the Kennedy #1 Well Site was added to the system, providing a nominal increase in system capacity of about 0.5 million gallons per day. The Kennedy #1 facility consists of four gravel-packed satellite wells, each 12 inches in diameter and approximately 35 feet deep, and a high-efficiency aeration tower. It is noteworthy that the result of pumping tests from Kennedy #1 showed the complete absence of all 170 priority pollutants currently listed by the EPA.

The Commissioners have acknowledged the need for additional office space for District personnel. It seems clear that the most appropriate and economical solution would be to complete the construction of the second story office above the Harlan Tuttle Building.

At the close of the calendar year, approval for the proposed Conant #2 Well Site was under review by the Commonwealth. This facility, which is located southeast of existing Conant #1, could add new capacity of about 0.5 million gallons per day to the supply of the Water District.

With the new storage capacity and actual and potential additional well capacity, the Commissioners have held advanced discussions related to lifting the odd-even outside watering restriction, which has been in effect for some 20 years. We look forward to being able to recommend this action during 1991, and to its approval by the State Department of Environmental Protection.

After the Commonwealth closed its Lawrence laboratory facility, the Water District's own laboratory became a topic of intense interest. To facilitate its approval as an accredited testing facility the Commissioners began an investigation of the benefits of leasing the laboratory to a firm that already operates a state-accredited water testing laboratory facility.

Always at the forefront of water treatment technology, the District began investigations into utilizing treatment by hydrogen peroxide to remove organic coloration, an esthetic problem, from water produced by the Clapp and Whitcomb Wells in West Acton.

The Commissioners herein recognize Stephen Peterson, who retired in the fall after providing nearly 20 years of faithful service to the District as Treasurer/Collector. We welcome the able services of Linda Larson in this capacity.

In closing, the Commissioners wish to acknowledge their sincere appreciation for the outstanding professionalism and inspirational leadership that has been demonstrated throughout the year by District Manager John MacLeod.
Respectfully submitted,

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

REPORT OF THE FINANCE COMMITTEE

During the past year abundant rainfall and the continuing decrease in new real estate construction reduced new installation and water hook-up fee income. To meet the budget requirements of the District the minimum water fee charge per quarter was increased to \$24.00. To assist the District income needs the commissioners negotiated an annual land lease on district land from the Nynex Mobile Communications Co.

The Grace Fund as of December 31, 1990 increased to \$1,928,334. During the past year income from this fund was used as follows:

1. \$60,000 for normal maintenance and treatment in all wells for purification and in particular Assabet One and Two, and the School Street Treatment Plant.
2. \$60,000 to install an Air Stripper at the Kennedy Well (approximately \$20,000 less than budgeted).

It is with regret, best wished, and a very sincere "thank you" that the committee acknowledges the retirement of Stephen G. Peterson, after 20 years as Treasurer/Collector. His steady financial hand and straight forward recommendations have been of invaluable assistance to this committee and our predecessors, as the district budgets have grown over the years.

We welcome Linda Larson as Assistant Treasurer/Collector and Charles E. Bradley as a Finance Committee member.

The commitment of the District staff and particularly the support of the District Manager, John MacLeod are greatly appreciated.

William L. Kingman
Theodore Jarvis
Charles E. Bradley
Finance Committee

REPORT OF THE DISTRICT MANAGER

The following report covers the activities of the District for 1990.

New House installations	43
Old service lines replaced or renewed	12
Old meters replaced with new meters	135
Repair of damaged hydrants	12
Repair of water main and service breaks	17
Replacement of old fire hydrants	4
Total gallons pumped in 1990	546,623,000

New water mains were installed at the following locations:

Ledgerock Way - 8" Main

The Water District has also installed a new water main from the Assabet Wells located in South Acton to Independence Road. This new feed line along with the other feed line, will allow the Water District to supply water to South Acton if there was an emergency water main break. Before this new feed line was installed a water main break would have caused us to shut off the Assabet Wells therefore leaving an area of town without water until the leak was repaired.

The Water District currently has 10 Municipal wells supplying water to the Town of Acton for domestic use and fire protection. The Water District increased it's daily pumping capacity under normal water levels in the aquifer from approximately 3 million gallons per day to 4 million gallons per day. The quality of water we deliver to our customers still exceeds all Federal and State standards.

In addition the Water District completed a new 3 million gallon storage tank located off Rte. 27 Main Street and Wyndcliff Drive. This currently provides the Water District with 8.5 million gallons of storage for emergencies and greater fire protection.

The Water District made some important changes in 1990 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 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 obtaining 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.

The Water District was asked several questions concerning the possible health effects of fluoride. The Water District is currently gathering data on this issue and will forward it to the Town of Acton, Board of Health for their review, comments and recommendations.

This past year the Water District discussed the possibility of selling bottled water.

The water to be sold would come straight from one of the wells where it is treated. We are still gathering more data for reserach.

Stephen G. Peterson the District Treasurer and Collector of 20 years will be retiring this year. All the employees at the District will miss him sorely. I would like to take this opportunity to thank him for the many years of dedicated and professional service he has given the Water District. We all wish him the best of luck for his family and a happy retirement.

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 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.

I am a member of the Mass. Water Works Association, Ground Water Committee along with ten other members from Massachusetts. This committee will work along with the D.E.P. (Department of Environmental Protection Agency) of Massachusetts and the 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 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 County Water Works 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, District Employees, Town Manager, Board of Selectmen, Board of Health, Department of Public Works, Engineering Department, Planning Board, Acton Fire Department, Acton Police Department, Acton School Department and all 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

1990 was marked by a number of significant accomplishments for the Acton Water District. The new Kennedy Well supply source will provide an additional half million gallons per day of high quality drinking water. Also, the Wampus Hill Storage Facility and Pumping Station provide additional storage and flow protection in a much needed area of the District.

Extensive measures are also being taken to assure that adequate protection exists for detection of potential contaminants ranging from Coliform bacteria, VOC's and heavy metals covered under the umbrella of the Safe Drinking Water Act. The AWD was prompt in submitting a DEP approved plan for meeting the Coliform Sampling Program for the entire distribution system.

Other achievements have also been realized as illustrated by a unique program featuring AWD's participation in National Drinking Water Week. The 1990 program sponsored educational videos on local cable television dealing with critical drinking water issues and a consumer awareness program targeted at the Elementary School level. The AWD effort was well received by the local public. This year's (1991) theme will highlight the vital steps that the local utilities are taking to meet the more stringent standards of the Safe Drinking Water Act.

The District has implemented a bench-scale treatability study designed to assess the removal capabilities of the objectionable color quality that tends to seasonally affect West Acton's water supply sources.

The color is generally due to the contribution of vegetation or humus material, that is primarily present in a soluble form. The nature of the color, confirmed by previous studies, does not represent a health issue, but does offer an undesirable appearance, and is sometimes aesthetically unacceptable.

Preliminary bench-testing techniques have indicated that the color removal effort is amenable to oxidation type processes. The purpose of the bench-scale evaluation will be to identify (qualitatively and quantitatively) the most efficient treatment, followed by a pilot plant verification of the optimized techniques most favorably affecting the process.

Respectfully Submitted

Joseph Markind
Environmental Engineer

REPORT OF THE TREASURER
Cash Receipts and Disbursements
July 1, 1989 through June 30, 1990

Cash Balance for July 1, 1989		\$1,725,890.79
CASH RECEIPTS		
Water Rates	1,227,569.86	
Hydrants	52,311.94	
Sprinklers	16,251.80	
Repairs & Installation	107,564.48	
Invested Interest	129,787.26	
Transfer from Grace	17,298.37	
Miscellaneous	1,888.76	
Insurance	926.64	
State	898.32	
Total Cash Receipts	1,554,497.43	3,280,388.22
CASH DISBURSEMENTS		
Salaries & Wages	277,844.77	
Federal Withholding	45,387.74	
State Withholding	18,444.17	
Retirement Withholding	19,932.60	
Health Insurance	38,272.80	
Domestic Insurance	44,959.10	
Retirement	43,999.00	
Education	5,676.01	
Maintenance & Operation	75,348.56	
Meters	15,189.14	
Auto & Equipment	14,660.39	
Fuel (Heating)	8,499.90	
Equipment Rental	1,213.02	
Permanent Paving	3,165.12	
Chemicals	53,988.35	
Lights, Power, Telephone	82,954.72	
Laboratory Analysis	3,521.00	
Legal & Accountant	47,070.61	
Office Supplies	7,799.39	
Postage	4,854.50	
Water Works & Miscellaneous	2,154.38	
Engineering	4,840.50	
Bonds & Interest	675,179.95	
Special Appropriations	51,056.98	
Sales Tax	409.35	
Refunds	1,297.26	
New Tank	726,297.93	
Total Cash Disbursements	\$2,274,017.24	
Total Ending Cash Balance June 30, 1990		\$1,006,370.98

Pope Road Escrow

Balance July 1, 1989	\$ 2,158.78
Interest	41.92
Disbursements	<u>1,918.00</u>
Balance as of June 30, 1990	282.70

Ledgerock Way Escrow

Balance July 1, 1988	\$.00
Receipts	26,212.00
Disbursements	<u>20,809.23</u>
Balance as of June 30, 1990	5,402.77

W.R. Grade Account Reserve for Appropriation

Cash Balance as of June 30, 1989	\$40,607.83
Interest Earned	3,351.55
Transfers from Investment Account	100,000.00
Disbursements	<u>124,773.27</u>
Cash Balance as of June 30, 1990	19,186.11

Gardner, Preston and Moss, Inc. Investment Account

W.R. Grace Settlement Reserve for Appropriation

Investment Balance June 30, 1989	\$1,874,555.46
Net Investment Income Year Ending June 30, 1990	<u>152,335.11</u>
	2,026,890.57
Less; Losses on Sales	11,068.57
Transfers to Cash Account	<u>100,000.00</u>
Investment Balance June 30, 1990	\$1,915,822.00
Balance June 30, 1990 (at cost) Consists of:	
Principal Cash	\$ 7.00
Short Term Interest Bearing	107,133.00
Government Issues	799,775.00
Corporate Bonds	<u>1,008,907.00</u>
Total	1,915,822.00

Average Yield

—
9.59
8.70
9.70
<u>9.27</u>

(Note: Market Value of Investment Account on June 30, 1990

was \$1,903,180.00.

Estimated Annual Income of Investment Account at June 30, 1990

was \$176,517.00.)

Savings and Money Market Accounts

BayBank Middlesex, Balance July 1, 1989	\$ 49.13
Interest	2.51
Balance at June 30, 1990	<u>51.64</u>
Shawmut Bank, Balance July 1, 1989	\$265,499.38
Interest	<u>22,202.03</u>
Balance at June 30, 1990	287,701.41
MMDT, Balance July 1, 1989	\$225,801.86
Deposits	400,000.00
Disbursements	503,000.00
Interest	<u>18,141.68</u>
Balance at June 30, 1990	140,943.54
MMDT, Balance July 1, 1989	\$1,261,811.47
Disbursements	726,297.93
Interest	<u>89,441.64</u>
Balance at June 30, 1990	624,955.18

Stephen Peterson
Treasurer & Collector

REPORT OF THE COLLECTOR

July 1, 1989 to June 30, 1990

Outstanding June 30, 1989	\$ 31,795.23
Charges	1,451,967.08
	3,654.05
Refunds	<u>1,276.56</u>
Total	1,488,692.92
Payments	1,403,698.08
Abatements	16,356.97
Adjustments	233.32
Outstanding, June 30, 1990	<u>68,404.55</u>
	1,488,692.92

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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 accompanying Balance Sheets of the various funds of the Water Supply District of Acton as of June 30, 1990, 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, 1990, 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

October 15, 1990

WATER SUPPLY DISTRICT OF ACTON

GENERAL FUND

BALANCE SHEET

JUNE 30, 1990

ASSETS

Cash	\$ 381,418
Accounts Receivable	
Water Rates and Services	67,987
	<u>449,405</u>
	=====

LIABILITIES, RESERVE AND FUND BALANCE

Due to Capital Projects Fund	\$ 205,165
Due to Agency Fund	283
Reserve for Uncollected Receivables	67,987
Fund Balance	175,970
	<u>449,405</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, 1990

	BUDGET	ACTUAL	VARIANCE FAVORABLE (UNFAVORABLE)
Revenues			
Water Rates and Services	\$1,436,910	\$1,401,761	\$ (35,149)
Interest on Invested Cash		40,346	40,346
Total Revenues	1,436,910	1,442,107	\$ 5,197
Expenditures			
Maturing Debt & Interest	696,155	675,180	20,975
Group Insurance	34,000	34,501	(501)
Salaries & Wages	367,000	364,521	2,479
Equipment Rental	2,000	1,963	37
Utilities	89,906	72,986	16,920
Fuel	5,000	5,763	(763)
Land Survey	9,175	0	9,175
Maintenance & Operations	60,000	60,000	0
Middlesex County Retirement	42,000	43,999	(1,999)
Postage & Miscellaneous	5,500	5,855	(355)
Audit	7,375	7,625	(250)
Legal	15,000	39,446	(24,446)
Engineering	10,000	4,840	5,160
Insurance	45,000	44,959	41
Meters	10,000	17,399	(7,399)
Auto & Equipment Expense	17,000	15,617	1,383
Reserve Fund	35,000	15,904	19,096
Office Supplies	9,000	9,000	0
Laboratory Analysis	6,740	3,431	3,309
Survey New Water	4,325	0	4,325
Education Expense	6,000	6,003	(3)
Advisory Comm. & Water Words	1,500	1,689	(189)
Chemicals	89,953	53,516	36,437
Permanent Paving	4,000	2,855	1,145
Total Expenditures	\$1,571,629	1,487,052	\$ 84,577
Excess of Expenses Over Revenues		(44,945)	
Other Financing Sources:			
Carryovers from Prior Budget	\$ 134,721		
Reserve Fund Transfers	15,904	150,625	
Excess of Revenues & Other Financing Sources Over Expenditures		105,680	
Fund Balance at Beginning of Year		202,790	
Transfers to Capital Projects Fund		308,470	
		(132,500)	
Fund Balance at End of Year		\$ 175,970	

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

WATER SUPPLY DISTRICT OF ACTON

CAPITAL PROJECTS FUND

BALANCE SHEET

JUNE 30, 1990

ASSETS

Cash	\$ 624,955
Due from General Fund	205,165
	<u>830,120</u>
	<u>=====</u>

FUND BALANCE

Fund Balances, Appropriated	<u>\$830,120</u>
	<u>=====</u>

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, 1990

	APPRO- PRIATED FUND BALANCE 6/30/89	RECEIPTS			APPRO- PRIATED FUND BALANCE 6/30/90
		TRANSFERS FROM GENERAL FUND	INVESTMENT INCOME	EXPEND- ITURES	
ASSABET GAS LINE	\$ 1,561			\$1,561	\$ 0
NEW LABORATORY	170			58	112
CONANT WELL CLEAN UP	1,018			1,018	0
CONCORD CONNECTION		\$5,000			5,000
BOSTON GAS		6,500		4,722	1,778
LAWSBROOK MAIN	200				200
SEALED VAULT & TANK	1,111				1,111
AQUIFER CLEAN UP - CLAPP WELL	10,804				10,804
NASH ROAD EASEMENT		22,000			22,000
CHEMICAL TREATMENT		15,000		11,375	3,625
SCRIBNER WELL STUDY	4,980				4,980
WHITCOMB WELL STUDY	5,293				5,293
SEPTAGE LAGOONS DISPOSAL	3,632				3,632
VEHICLES	208	12,000		10,573	1,635
MARSHALL WELL	6,707			5,175	1,532
INDEPENDENCE RD. MAIN		42,000		873	41,127
WHITCOMB POWER UPDATE	3,537			1,587	1,950
GROUND WATER MONITOR WELL	3,618			1,664	1,954
WATER DISTRIBUTION SYSTEM	4,289			3,583	706
POTASSIUM HYDROXIDE	12,912				12,912
CONANT LAND PUMPING TEST	45,231			6,985	38,246
GREAT HILL STANDPIPE	2,112				2,112
CROSS CONNECTION		30,000			30,000
WHITCOMB BOILER	4,525			1,280	3,245
STEEL BUILDING	2,081			183	1,898
BUILDING LAWSBROOK	149				149
KENNEDY WELL	400,000			190,632	209,368
CAMPUS STORAGE TANK	861,811		\$89,442	535,882	415,371
NEW CAR	1,606			1,450	156
UTILITY BUILDING	2,058			1,387	671
CONTROL VALVE	268			215	53
PUMP TEST-KUNELIUS LAND	8,500				8,500
	\$1,388,381	\$132,500	\$89,442	\$780,203	\$830,120

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

WATER SUPPLY DISTRICT OF ACTON

AGENCY FUND

BALANCE SHEET

JUNE 30, 1990

ASSETS

Cash	\$ 5,403
Due from General Fund	283
	<u>\$ 5,686</u>

FUND BALANCE

Fund Balance	\$ 5,686
--------------	----------

WATER SUPPLY DISTRICT OF ACTON

AGENCY FUNDS

STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCE

YEAR ENDED JUNE 30, 1990

	FUND BALANCE JUNE 30, 1989	RECEIPTS	EXPENDI- TURES	FUND BALANCE JUNE 30, 1990
Escrow Account				
Pope Road Main				
(Overview				
Development)	\$ 2,159	\$ 42	\$ 1,918	\$ 283
Ledgerock Way	0	26,212	20,809	5,403
	<u>\$ 2,159</u>	<u>\$ 26,254</u>	<u>\$ 22,727</u>	<u>\$ 5,686</u>

See Accompanying Notes

Subject to comments contained in
Accountant's Report

WATER SUPPLY DISTRICT OF ACTON
STATEMENT OF GENERAL LONG-TERM DEBT
JUNE 30, 1990

AMOUNT TO BE PROVIDED FOR THE PAYMENT OF LONG-TERM DEBT

Amount to be Provided	\$ 3,095,000 =====
-----------------------	-----------------------

LONG-TERM DEBT PAYABLE

Serial Bonds Payable	\$ 3,095,000 =====
----------------------	-----------------------

WATER SUPPLY DISTRICT OF ACTON
RESTRICTED FUND - W.R. GRACE SETTLEMENT
BALANCE SHEET
JUNE 30, 1990

ASSETS

Cash	\$ 19,193
Investments, at Cost	1,915,815
(Market Value at 6/30/90 - \$1,903,180)	
	----- \$1,935,008 =====

FUND BALANCE

Fund Balance	\$1,935,008 =====
--------------	----------------------

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

WATER SUPPLY DISTRICT OF ACTON
RESTRICTED FUND - W.R. GRACE SETTLEMENT
STATEMENT OF REVENUE, EXPENDITURES AND
CHANGES IN FUND BALANCE

JUNE 30, 1990

	Treasurer Funds	Managed Funds
	-----	-----
Revenue		
Interest Earned on Investment Funds	\$ 3,352	\$ 169,613
Transfers from Managed Funds	100,000	

	103,352	

Expenditures and Net Investment Losses		
Maintenance and Operations for Treatment Facilities	124,774	
Investment Expense		17,278
Transfers to Treasurer Funds		100,000
Net Investment Losses		11,068
	-----	-----
Excess of Expenditures over Revenue	(21,422)	
Total Expenditures and Net Investment Losses		128,346

Excess of Revenue over Expenditures		41,267
Fund Balance at Beginning of Year	40,608	1,874,555
	-----	-----
Fund Balance at End of Year	\$ 19,186	\$1,915,822
	=====	=====
Combined Fund Balance at End of Year	\$1,935,008	
	=====	

See Accompanying Notes

Subject to comments contained in
Accountant's Report

WATER SUPPLY DISTRICT OF ACTON
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 1990

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 - W.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.

WATER SUPPLY DISTRICT OF ACTON
NOTES TO FINANCIAL STATEMENTS - Continued
JUNE 30, 1990

(ii) Basis of Accounting - continued

Appropriation 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 contributions. 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 entered the system. The District's contribution for the year ended June 30, 1990 was \$43,999.

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 expenses are recognized in the accounting period incurred. However, any modifications required to conform to the accrual method would not be material at June 30, 1990.

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, 1990

Cash Balance July 1, 1989	\$ 1,728,050
Receipts	1,573,708
Disbursements	(2,289,982)

Cash Balance June 30, 1990	\$ 1,011,776
	=====

Composition of Cash Balance at June 30, 1990

Checking Accounts:	
BayBank Middlesex	\$ (48,231)
Shawmut Bank	952
Escrow	5,403

Savings Accounts:	
Massachusetts Mutual Depository	765,899
Shawmut Money Market	287,701
BayBank Middlesex	52

	\$ 1,011,776
	=====

Presentation of Cash in Balance Sheets

General Fund	\$ 381,418
Capital Projects Fund	624,955
Agency Fund	5,403

	\$ 1,011,776
	=====

WATER SUPPLY DISTRICT OF ACTON
DEBT REQUIREMENTS TO MATURITY
JUNE 30, 1990

FICAL YEAR ENDED JUNE 30,	PRINCIPAL	INTEREST	TOTAL REQUIREMENTS
1991	\$ 430,000	\$ 213,370	\$ 643,370
1992	405,000	183,525	588,525
1993	365,000	154,855	519,855
1994	325,000	129,475	454,475
1995-2001	1,570,000	382,812	1,952,812
	<u>\$3,095,000</u>	<u>\$1,064,037</u>	<u>\$ 4,159,037</u>

WATER SUPPLY DISTRICT OF ACTON

SERIAL BONDS PAYABLE

YEAR ENDED JUNE 30, 1990

DESCRIPTION	ORIGINAL AMOUNT	INTEREST RATE	DATE OF ISSUE	DATE OF MATURITY	BALANCE 7/1/89	ADDITIONS	RETIREMENTS	BALANCE 6/30/90
NAGOG HILL RESERVOIR	\$540,000	5.7%	11/15/74	11/15/92	\$ 120,000		\$ 30,000	\$ 90,000
WATER MAINS	385,000	5.7%	11/15/74	11/15/90	40,000		20,000	20,000
WATER MAINS	220,000	4.85%	10/01/78	10/01/91	30,000		10,000	20,000
BUILDING	130,000	4.85%	10/01/78	10/01/91	30,000		10,000	20,000
WATER MAINS	910,000	9.55%	06/15/82	06/15/94	350,000		80,000	270,000
WATER MAINS	595,000	7.47%	06/01/85	06/01/97	395,000		50,000	345,000
WATER MAINS	625,000	6.39%	08/15/86	02/15/98	460,000		55,000	405,000
WAMPUS RESERVOIR	1,700,000	6.71%	06/01/89	06/01/01	1,700,000		141,667	1,558,333
KENNEDY WELL	400,000	6.71%	06/01/89	06/01/01	400,000		33,333	366,667
					<u>\$ 3,525,000</u>	<u>\$ 0</u>	<u>\$ 430,000</u>	<u>\$3,095,000</u>

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:

Whitcomb Station of the Water Supply District
in the Harlan Tuttle Conference Room
Massachusetts Avenue (Route 111), West Acton
Monday, February 26, 1990
7:30 o'clock P.M.

Then and there to act on the following article:

ARTICLE 1. To see if the District will vote to amend Section One of the Bylaws relating to the election of officers at the annual meeting by deleting the following clause from Section One . . . " and the election of officers shall be held on the first Monday of April of each year.", and substituting therefor the following clause . . . *and the election of officers shall be held on the Tuesday immediately preceding the first Monday of April in each year*", 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 thirtieth day of January in the year of 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

WATER MEETING

Abstract of the proceedings of the Special Meeting of the Water Supply District of Acton, held at the Whitcomb Station of the Water Supply District in the Harlan Tuttle Conference Room, Massachusetts Avenue (Route 111), West Acton

MONDAY, FEBRUARY 26, 1990 at 7:30 P.M.

ARTICLE 1. VOTED: That the District adopt the change in the election date and amend Section 1 of the Bylaw as printed in warrant.

(Unanimous)

Adjourned: 7:36 P.M.

A true copy:

Attest:

Anita E. Page
District Clerk

WATER MEETING

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

WEDNESDAY, MARCH 21, 1990, at 7:30 PM

ARTICLE 1. VOTED: To fix the salaries of the elected officers 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, 1990, 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: That the District discontinue from inclusion in the Budget for 1990-1991 the estimated receipt known as hydrant rental (fire protection fee) and that the Commissioners prepare the annual budget each year in accordance with this vote, or until such time as the District votes to revoke said instruction.

(Majority)

ARTICLE 5. VOTED: To appropriate from estimated receipts of the District the

sum of \$1, 475,370.00 for maintenance and operation of the District, and specific appropriations as follows:

Estimated Budget Expenditures for 1990 - 1991

Salaries & Wages	\$ 385,000.00
Health Insurance	45,000.00
Middlesex County Retirement	40,000.00
Educational Expenses	6,000.00
Maintenance & Operation	60,000.00
Maters	12,000.00
Auto & Equipment Expense	15,000.00
Fuel	6,000.00
Equipment Rental	2,000.00
Permanent Paving	4,000.00
Chemicals	60,000.00
Lights, Power & Telephone	60,000.00
Laboratory Analysis	4,000.00
Insurance/Domestic	51,000.00
Office Supplies	8,000.00
Postage	5,000.00
Audit	9,500.00
Legal	20,000.00
Water Words Notice	1,500.00
Advisory Committee	0
Miscellaneous	1,000.00
Land Survey	5,000.00
Engineering	5,000.00
Bonds & Interest	645,370.00
Reserve Fund	25,000.00
TOTAL BUDGET	<u>\$1,475,370.00</u>

Estimated Receipts for 1990 - 1991

Water Rates	1,400,370.00
Sprinklers	15,000.00
Repairs & New Installations	60,000.00
TOTAL RECEIPTS	<u>1,475,370.00</u>

(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 \$100,000.00 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 \$12,000.00 for the purchase of a new truck, and to authorize the Commissioners to trade or sell the 1986 Dodge pickup truck.

(Unanimous)

ARTICLE 8. VOTED: That the District transfer from surplus revenue the sum of

\$5,000.00 to connect the District's water main on Lawsbrook Road in South Acton with the public water main in the Town of Concord on Lawsbrook Road at or near the town boundary between Concord and Acton.

(Unanimous)

ARTICLE 9. VOTED: That the District transfer from surplus revenue the sum of \$6,500.00 to have Boston Gas Company install a natural gas pipe line to the Clapp Well Pumping Station, and the Conant Well Pumping Station, and the Marshall Well Pumping Station.

(Unanimous)

ARTICLE 10. VOTED: 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 transfer from surplus revenue the sum of \$22,000.00 for either payment to the landowners or repair of damages to landowners property, or both.

(Unanimous)

ARTICLE 11. VOTED: That the District adopt the following By-law entitled, "Water Supply Emergency By-law":

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 41A.

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 Town police, special police, and any other locally designed 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 first violation and \$100.00 for each subsequent violation which shall inure to the District for 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 non-criminal disposition in accordance with section 21D of Chapter 40 of the General Laws. Each separate instance of noncompliance 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, except the interior of a domicile, 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 provision of this By-law shall not invalidate any other portion, provision or section hereof.

(Unanimous)

ARTICLE 12. VOTED: That the District authorize the Commissioners to extend the water main from the Assabet wellfield 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 the sum of \$42,000.00 for completion of this project.

(Unanimous)

ARTICLE 13. VOTED: That the District amend the By-laws of the District by adding a new Section 15: Underground Water Sprinklers.

a. No person shall install, repair, replace or alter a permanent outdoor underground water sprinkler connected to the public water supply except as provided by this by-law.

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 as 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 are 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 connected to the public water supply.

e. No permit granted prior to the effective date of this by-law 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

by-law which becomes defective or requires replacement or repair shall be subject to this by-law, and the rules and regulations adopted by the Commissioners from time to time.

f. If the Commissioners shall find that any provision of this by-law 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 by-law 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 Board of Health or Plumbing Inspector, Town of Acton, from seeking enforcement under other applicable provisions of law.

h. The provisions of this by-law, as amended from time to time, are separable. If any provision of the by-law, or any amendments thereto, is held invalid, the other provisions of the by-law 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.

(Unanimous)

ARTICLE 14. VOTED: That the District 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.

(Unanimous)

ARTICLE 15. VOTED: That the District transfer from Surplus Revenue the sum of \$15,000.00 for the maintenance, cleaning, and chemical treatment, and redevelopment of the Marshall well-field and the Scribner well-field.

Adjourned: 9:16 PM

Water Supply District of Acton

A true copy:

Attest:

Anita E. Page
Clerk

March 21, 1990

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:

Acton-Boxborough Jr. High School Auditorium
Charter Road at Massachusetts Avenue, West Acton
On Thursday, June 28, 1990
at 7:30 O'clock P.M.

Then and there to act on the following article:

ARTICLE 1. To see if the District will vote to transfer from Surplus Revenue a certain sum of money to a new account entitled 'Cross Connectin Program', Estimated Budget Expenditure for 1990-1991 to implement the District's program for the control and regulation of backflow and cross connections, including but not limited to, the survey and inspection of all back flow devices and cross connections, and the initial administrative costs to set up the program, or to take any other action relative thereto.

ARTICLE 2. To see if the District will vote to accept the provisions of Chapter 32 of the Acts of 1990 which read as follows:

Section 1. Section 1 of Chapter 326 of the acts of 1912, as amended by Section 1 of Chapter 667 of the acts of 1962, is hereby further amended by adding the following paragraph:

The Water Supply District of Acton shall also include a certain parcel of land located in the Town of Acton and the Town of Littleton being a part of land described in deed recorded in the southern district registry of deeds in the County of Middlesex, Book 18953, Page 23.

Section 2. If said parcel of land described in section one shall cease to be used as a child care center for a period in excess of two years, said parcel shall cease to be a part of said Water Supply District of Acton and said district shall discontinue water supply to said parcel without liability to said District.

Section 3. This act shall take effect upon its passage. 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 21st day of May in the year of 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

WATER MEETING

Abstract of the proceeding 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.

THURSDAY, JUNE 28, 1990 at 7:30 P.M.

ARTICLE 1. VOTED: To transfer from Surplus Revenue the sum of Thirty Thousand Dollars (\$30,000.00 to a new account entitled "Cross Connection Program", Estimated Budget Expenditure for 1990-1991 to implement the District's program for the control and regulation of backflow and cross connections, including but not limited to, the survey and inspection of all backflow devices and cross connections, and the initial administrative costs to set up the program.

(Unanimous)

ARTICLE 2. VOTED: To accept the provisions of Chapter 32 of the Acts of 1990 as printed in the Warrant.

(Unanimous)

Adjourned: 7:50 P.M.

A true copy:
Attest:

Anita E. Page
Clerk

WATER MEETING

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

TUESDAY, MARCH 27, 1990

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

Total number of ballots cast:

The following were elected:

Commissioner for 3 years: Stephen C. Stuntz	2,786
Moderator for 1 year: John Putnam	2,845
Clerk for 1 year: Anita E. Page	2,790

A true copy:
Attest:

Anita E. Page
District Clerk

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 1/2 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 July 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 \$24.00 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 \$24.00 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 \$2.00 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 \$2.00 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
Leonard A. Phillips - *Chairman*
Ronald R. Parenti
Stephen C. Stuntz

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, 1990)

- 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 last Tuesday of March 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.

XV **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 41A.

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 Town police, special police, and any other locally designed 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 first violation and \$100.00 for each subsequent violation which shall inure to the District for 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 non-criminal disposition in accordance with section 21D of Chapter 40 of the General Laws. Each separate instance of noncompliance 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, except the interior of a domicile, 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 provision of this By-law shall not invalidate any other portion, provision or section hereof.

XVI "By-Law to Regulate Underground Water Sprinklers."

a. No person shall install, repair, replace or alter a permanent outdoor underground water sprinkler connected to the public water supply except as provided by this by-law.

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 as 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 are 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 connected to the public water supply.

e. No permit granted prior to the effective date of this by-law 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 by-law which becomes defective or requires replacement or repair shall be subject to this by-law, and the rules and regulations adopted by the Commissioners from time to time.

f. If the Commissioners shall find that any provision of this by-law 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 by-law 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 Board of Health or Plumbing Inspector, Town of Acton, from seeking enforcement under other applicable provisions of law.

h. The provisions of this by-law, as amended from time to time, are separable. If any provision of the by-law, or any amendments thereto, is held invalid, the other provisions of the by-law 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.

BY-LAW

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

Section 1. 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 2. 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.

