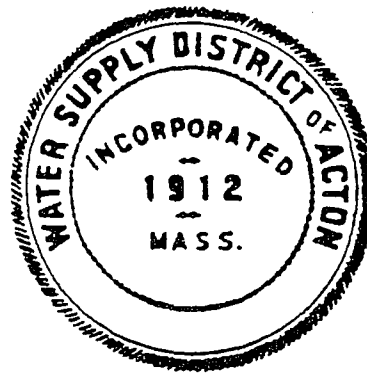


ANNUAL REPORT
OF THE
WATER SUPPLY DISTRICT
OF
ACTON, MASSACHUSETTS

For the year ending December Thirty-first 1993



WARRANT ARTICLES
FOR THE
ANNUAL MEETING

MARCH 16, 1994

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

WATER DISTRICT ORGANIZATION - 1993

ELECTED OFFICIALS

COMMISSIONERS

Leonard A. Phillips, Chairman	Term expires 1994
Ronald R. Parenti	Term expires 1995
Stephen C. Stuntz	Term expires 1996

CLERK

Anita E. Page	Term expires 1994
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MODERATOR

John W. Putnam	Term expires 1994
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APPOINTED OFFICIALS

FINANCE COMMITTEE

Theodore Jarvis, Chairman	Term expires 1996
William Kingman	Term expires 1996
Charles Bradley	Term expires 1994

DISTRICT MANAGER

John E. MacLeod	Contract expires 1995
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TREASURER & COLLECTOR

Linda M. Larson	Term expires 1994
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ATTORNEY

Charles E. Orcutt, Jr.	Term expires 1994
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COMMISSIONERS SECRETARY

Jane Cutler	
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ACCOUNTANTS

Scheid & Mara, P.C.	
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WATER DISTRICT STAFF - 1993

DISTRICT MANAGER	John E. MacLeod
SUPERINTENDENT	Carleton Troupe
TREASURER/COLLECTOR	Linda M. Larson
SECRETARY/A/P BOOKKEEPER	Debra A. Pyrro
CLERK/A/R BOOKKEEPER	Helen F. Argento
FOREMAN	Robert Koch
ASSISTANT FOREMAN	Stephen Peterson, Jr.
OPERATORS	Paul McGovern Patrick DeCesare Ronald Davan
OPERATOR/MAINTENANCE	Charles Rouleau

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 29, 1994
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, 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 Massachusetts Avenue, West Acton
on WEDNESDAY, MARCH 16, 1994
at 7:30 o'clock P.M.

Then and there to act on the following articles:

- ARTICLE 1. To fix 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, 1994, 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 the General Laws, Chapter 44, Section 17, or to take any 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, or to take any action relative thereto.
- ARTICLE 5. To see if the District will vote to transfer from Receipts Reserve for Appropriation Account (W. R. Grace Settlement), the sum of \$60,000.00 for the maintenance and operation, carbon replacement and power costs at the various treatment plants operated by the District, or to take any other action relative thereto.
- ARTICLE 6. To see if the District will vote to authorize the Treasurer with the approval of the Commissioners to transfer to Surplus Revenue Account the following unexpended balances remaining after the completion of projects authorized by vote of the District, or to take any other action relative thereto.
- A. Unexpended balance in the sum of \$2,421.23 for project completed under Article #9 of the Annual Meeting on March 20, 1991, which approved installing a precast building next to the Flagg Hill tank off Ethan Allen Drive.
 - B. Unexpended balance in the sum of \$5,909.82 for project completed under Article #18, of the Annual Meeting of March 12, 1992, which approved installation of an altitude valve at the Nagog Hill tank off Nagog Hill Road.
 - C. Unexpended balance in the sum of \$7,150.00 for project completed under Article 15, of the Annual Meeting of March 18, 1992, which approved removal of underground propane tanks at two (2) well sites.
 - D. Unexpended balance in the sum of \$2,280.05 for project completed under Article #17 of the Annual Meeting of March 17, 1993, which approved purchase of utility body truck.

- ARTICLE 7. To see if the District will vote to authorize the Commissioners to transfer from Surplus Revenue a certain sum of money to purchase a new combination backhoe and loader, and to authorize the Commissioners to trade or sell the 1981 backhoe and loader, 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 purchase software, and set up new computer programs for the District, or to take any other action relative thereto.
- ARTICLE 9. To see if the District will vote to transfer from Surplus Revenue a sum of \$6,000.00 to pay the Department of Environmental Protection (D.E.P.), Commonwealth of Massachusetts, a user fee assessment for water pumped by the District, 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 for the purpose of renewing numerous outdated services from existing water mains to the owner's property line, 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 for the preparation of a comprehensive, long range master plan which shall serve as a basis for the future expansion and improvement of the water supply and distribution system of the District and to comply with the Water Management Act; and to apply for and accept any state or federal funds toward the cost of this project, 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 purchase a new car, and to authorize the Commissioners to trade or sell the 1987 Dodge Omni, or to take any other action relative thereto.
- ARTICLE 13. To see if the District will vote to transfer from Surplus Revenue a certain sum of money to purchase a new 1/2 ton pick-up truck with side body. To authorize the Commissioners to trade or sell the 1988 Chevrolet pick-up, or to take any other action relative thereto.
- ARTICLE 14. To see if the District will vote to transfer from Surplus Revenue, a certain sum of money to install an emergency back-up power source and a gas line to run the generator for the Kennedy well located in North Acton, off Route 27, Main Street, 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 clean wells that provide water to the

system in order to attain maximum pumping capacity, 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 to implement a leak detection program of the water distribution system and to apply for and accept any state or federal funds towards the cost of this project, or to take any other action relative thereto.

ARTICLE 17. To see if the District will vote to transfer from Surplus Revenue a certain sum of money to purchase office furniture, file cabinets, furnishings and accessories and a phone system for the new office building located off Massachusetts Avenue (Route 111), or to take any other action relative thereto.

ARTICLE 18. To see if the District voters will vote to authorize the Commissioners to transfer from Surplus Revenue a certain sum of money to define a Zone II Protection Plan, ground water flows, monitoring, water levels and mapping the aquifer for the Kennedy and Marshall Well fields located in North Acton off Main Street (Route 27), near the Carlisle/Westford town line, or to take any other action relative thereto.

ARTICLE 19. To see if the District will vote to transfer from surplus revenue a certain sum of money to purchase a mailing machine and electronic postal scale and to trade or sell the old postage machine, or to take any other action relative thereto.

ARTICLE 20. To see if the District will vote to transfer from receipts a reserve for appropriation account (W.R. Grace Settlement), a sum of money (\$60,000.00) to study the feasibility of installing a permanent well on District property formerly known as Grace Number Three (3) Well, in order to satisfy all requirements of the Department of Environmental (D.E.P.), and Environmental Protection Agency (E.P.A.) under the Safe Drinking Water Act, or to take any other action relative thereto.

ARTICLE 21. To see if the District will vote to authorize the Commissioners to purchase or take by eminent domain, or otherwise acquire, several easements in land located off Post Office Square on land owned by Boston Edison, Acton Environmental Testing and Liquid Metronics, Inc. for the installation of a proposed eight (8) inch water main extension to land to be acquired from Brewster Conant; and to raise and appropriate or to transfer from any available source, or to borrow under authority of Chapter 44 of the General Laws, as amended, a certain sum of money for said purpose, or to take any other action relative thereto.

ARTICLE 22. To see if the District will vote to authorize the Commissioners to submit to the Senate and House of Representatives of the General

Court enabling legislation so as to permit an exchange of certain parcels of land between the Water Supply District of Acton and Brewster Conant, as substantially described as follows; or to take any other action relative thereto:

Section One:

Notwithstanding the provision of Chapter 30B of the General Laws or any other general or special law to the contrary, the Water Supply District of Acton, acting by and through its Board of Water Commissioners, is hereby authorized to convey to Brewster Conant a certain parcel of vacant land containing about three (3) acres, more or less and being a portion of land described in Order of Taking dated January 16, 1974, filed with Middlesex South District Deeds, Book 12582, Page 076 and located on Nagog Hill Road. Said conveyance shall include a perpetual deed restriction that the land as conveyed may not be used or developed to include construction of any building or dwelling thereon.

Section Two:

In consideration of the conveyance in Section One, Brewster Conant shall convey to the Water Supply District of Acton and the Water Supply District of Acton is hereby authorized to accept a parcel of real estate, containing about twenty-four (24) acres, more or less, located in Acton, and being a portion of land described in a deed to said Brewster Conant on file with the Middlesex South District Registry of Deeds, Book 13793, Page 584, and located off Brook Street and containing a major water supply source developed by the Water Supply District of Acton and shall be used for municipal water supply purposes.

- RTICLE 23. To see if the District will authorize the Commissioners to convey by suitable deed, the land described in Article 22 to Brewster Conant, and to accept in exchange delivery of a suitable deed to the land described in Article 22 upon enactment of the special enabling legislation of Mass. General Court described in said Article 22, and to authorize the Commissioners to sign, execute and deliver any and all documents necessary and proper to implement the land exchange, or to take any other action relative thereto.
- RTICLE 24. To see if the District will vote to transfer from surplus revenue a sum of \$15,000.00 to pay for a survey, legal fees and appraisal of a parcel of District land located off Nagog Hill Road in Acton, or to take any other action relative thereto.
- RTICLE 25. A. To see if the District will vote to extend a ten (10) inch water main a distance of three hundred (300) feet, more or less, on Newtown Road in Acton, together with hydrants and

from any available source, or to borrow under Chapter 4 of the General Laws, as amended, a certain sum of money for said purpose, and apply for and accept any federal or state funds towards the cost of this extension, or to take any other action relative thereto.

- B. To see if the District will vote to instruct the Commissioners prior to commencement of any work and awarding of the bid that a sum sufficient to fund the extension approved as ARTICLE 25 (A), shall be deposited with the District Treasurer by Kavanagh Homes, Inc., 503 Main Dunstable Road, Nashua, NH 03062. Said deposit to be used to pay for completion of water main extension and all fees and expenses associated therewith, or to take any other action relative thereto.

ARTICLE 26.

- A. To see if the District will vote to extend an eight (8) inch water main a distance of approximately 1,700 feet along Adams Street from Millet Drive to Parker Street and to install approximately six hundred (600) feet of eight (8) inch water main on Parker Street to tie into existing water main at Parker Street and Carleton Drive in Acton, together with hydrants and necessary fittings; and to raise and appropriate, or transfer from any available source, or to borrow under Chapter 44 of the General Laws, as amended, a certain sum of money for said purpose, and to apply for and accept any federal or state funds towards the cost of these extensions, or to take any other action relative thereto.
- B. To see if the District will vote to instruct the Commissioners prior to commencement of any work, and awarding of the bid that a sum of money sufficient to fund the extensions approved as Article 26(A), shall be deposited with the District Treasurer by the Acton Community Housing Corporation, Acton, Massachusetts. Said deposit to be used to pay for completion of water main extension, and all fees and expenses associated therewith, or to take any other action relative thereto.

ARTICLE 27.

- To see if the District will vote to authorize the Commissioners to acquire by purchase or take by eminent domain, or otherwise acquire, a perpetual easement between Lots E.A.U. 22 and E.A.U. 30 and shown as future street projection on a plan entitled, "Acorn Park, Acton, Mass. prepared for Acorn Park Realty Trust and dated July 28, 1993," so that the District may have future access and ability to complete a water main loop and emergency access to the water main improvements and pump station to be

constructed by the Town of Acton, or to take any other action relative thereto.

ARTICLE 28.

To see if the District will vote to amend the By-Laws by adding Section XVIII to read as follows, or to take any other action relative thereto:

Section One:

By-Law to reduce local daily and seasonal peak water use.

Section Two:

The purpose of this By-Law is to implement a number of water efficiency and conservation measures and by so doing provide significant reductions in overall demand in the District's service area. The goal is to achieve maximum water efficiency in the local public water system, domestic and non-domestic users. The overall objectives are:

- (a) To make water conservation a priority in all water related decision making at the local level.
- (b) To reduce or eliminate the waste of water through appropriate water supply management practices.
- (c) To promote conservation of all water resources by all consumers through the introduction of technology, methods and procedures designed to increase the efficient use of water.
- (d) To encourage innovations in technology, policy and management.
- (e) To maximize the efficient use of existing supplies prior to allocating additional resources.
- (f) To promote public awareness of the long term economic and environmental benefits of conserving water by implementing practical measures within the District's service area.
- (g) To monitor consumption and facilitate accurate annual billing of users and collection of water rates.

Section Three:

Definition:

For the purpose of this By-Law: Enforcement authority shall mean the District's Board of Water Commissioners, or District Manager, having responsibility for the operation and maintenance of the water supply; the Town police, special police and other locally designated bodies having police powers.

Section Four:

- (a) The following shall apply to all users of water supplied by the District. Following appropriate notification by the District of the necessity to impose water restrictions, including but not limited to, regulating the outside use of water for any purpose, the Commissioner may impose restrictions by a majority vote of the Commissioners at a regular or special meeting of the Board. Notification of any restriction, requirement or condition to conserve water shall be sufficient for the purpose 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 users of the District's supply.

Upon notification to the water takers, violators shall be subject to lawful order of the Commissioners, including but not limited to, shutting off the water meter or at the curb cock, or by other means as the case may be, during drought, hurricane, conflagration or other disaster which in the opinion of the Commissioners' may exist.

Section Five:

Penalty:

Any person or entity who violates this By-Law, or order or notification, shall be liable to the District in the amount of \$300.00 which shall inure to the District for such use as the Commissioners may direct. Fines shall be recovered by indictment or upon complaint before the District Court or by non-criminal disposition in accordance with Section 21D of Chapter 40 of the General Laws, as amended. Each separate instance of non-compliance following issuance of a warning or citation pursuant to this section shall constitute a separate violation.

Section Six:

Permanent Orders of the Commissioners:

Unless discontinued, or modified, in whole or in part, the following orders shall be considered in effect as of March 16, 1994:

- (a) Outside use of water shall be restricted between May 1st and October 1st each year on such terms as the Commissioners may determine.
- (b) All final water bills requested by owners, purchasers, or others, serviced by the District shall require an inside meter reading to be made by the District's authorized personnel.

Section Seven:

Right of Entry:

Except as provided in Section 6(b), 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 the By-Law or enforcing against the same.

Section Eight:

Severability:

The invalidity of any portion or provision of this By-Law shall not invalidate any other portion, provision or section thereof.

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 199 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-fourth day of January in the year one thousand nine hundred and ninety-four.

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

A true copy, ATTEST:

Anita E. Page,
District Clerk

APPROPRIATIONS AND EXPENDITURES FOR FISCAL 1995

Audit	12,500.
Auto Maintenance & Fuel	17,000.
BackFlow/Cross Connection	6,000.
Bank Fees	2,400.
Bonds, Interest, Fees	382,925.
Chemicals	30,000.
Education	4,000.
Engineering	10,000.
Equipment Rental	3,000.
Health & Life Insurance	97,000.
Insurance	56,000.
Laboratory Analysis	10,000.
Legal & Accounting	18,000.
Lights, Power & Fuel	100,000.
Maintenance & Operations	80,000.
Meters	19,000.
Middlesex County Retirement	53,000.
Office Supplies	13,000.
Permanent Paving	6,000.
Petty Cash/Miscellaneous	1,375.
Postage	9,800.
Reserve Fund	30,000.
Salaries & Wages	470,000.
Telephone	10,000.
Water Works Notice	1,500.
TOTAL	1,442,500.

BUDGETED RECEIPTS FOR FISCAL 1995

Water Rates	1,300,000.
Sprinklers	14,000.
New Insatallations/Repairs	90,000.
Rent/Lease	32,500.
Cross Connection/Backflow	6,000.
TOTAL	1,442,500.

WATER SUPPLY DISTRICT OF ACTON
AMORTIZATION SCHEDULE - BONDS AND INTEREST

	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99	FY 2000	FY 2001
		1993-1994	1994-1995	1995-1996	1996-1997	1997-1998	1998-1999	1999-2000	2000-2001
Original	Balance	Principal	Principal	Principal	Principal	Principal	Principal	Principal	Principal
Amount	07/01/93	Interest	Interest	Interest	Interest	Interest	Interest	Interest	Interest
Water Bonds									
910,000.00	50,000.00	50,000.00							
		4,875.00							
Water Bonds									
595,000.00	195,000.00	50,000.00	50,000.00	50,000.00	45,000.00				
		14,625.00	10,875.00	7,125.00	3,375.00				
Water Bonds									
625,000.00	250,000.00	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00			
		16,000.00	12,800.00	9,600.00	6,400.00	3,200.00			
W.P. Walsh									
Reservoir									
2,100,000.00	1,400,000.00	175,000.00	175,000.00	175,000.00	175,000.00	175,000.00	175,000.00	175,000.00	175,000.00
		<u>93,975.00</u>	<u>82,250.00</u>	<u>70,525.00</u>	<u>58,800.00</u>	<u>47,075.00</u>	<u>35,350.00</u>	<u>23,625.00</u>	<u>11,812.50</u>
TOTALS									
4,230,000.00	1,895,000.00	454,475.00	380,925.00	362,250.00	338,575.00	275,275.00	210,350.00	198,625.00	186,812.50
Agency Fees		<u>2,000.00</u>	<u>2,000.00</u>						
		456,475.00	382,925.00						

APPROPRIATIONS AND EXPENDITURES 92-93, 6 MONTHS OF 94

	1992	1992	1993	1993	1994	1994
	<u>Appro.</u>	<u>Expend.</u>	<u>Appro.</u>	<u>Expend.</u>	<u>Appro.</u>	<u>6 Months</u>
Salaries & Wages.....	\$375,000.00	\$389,705.72	\$415,000.00	\$415,000.00	\$445,000.00	\$225,372.21
Health & Life Insurance..	75,000.00	73,796.73	85,000.00	82,194.97	93,500.00	48,942.11
Mdx. County Retirement...	46,000.00	47,916.00	51,500.00	49,571.00	54,285.00	27,142.50
Educational Expense.....	4,000.00	4,625.59	4,000.00	3,676.93	4,000.00	1,743.20
Maintenance & Operation..	60,000.00	70,429.76	75,000.00	75,000.00	75,000.00	47,855.90
Meters.....	14,000.00	13,991.97	14,000.00	14,000.00	16,000.00	4,144.94
Auto & Equipment.....	16,000.00	15,971.12	17,000.00	16,043.79	17,000.00	8,375.00
Fuel.....	6,000.00	6,000.00	6,000.00	5,930.00	6,000.00	2,548.07
Equipment Rental.....	2,000.00	1,566.07	2,000.00	2,000.00	2,000.00	1,200.00
Permanent Paving.....	5,000.00	5,000.00	5,000.00	5,000.00	6,000.00	2,457.60
Chemicals.....	35,000.00	31,157.19	25,000.00	25,000.00	20,000.00	18,483.61
Lights,Power, Telephone..	70,000.00	65,133.76	80,000.00	78,585.87	80,000.00	67,654.08
Laboratory Analysis.....	4,000.00	4,000.00	7,500.00	7,274.95	10,000.00	2,470.30
Insurance/Domestic.....	56,000.00	26,845.00	48,500.00	45,932.03	52,000.00	35,726.95
Office Supplies.....	9,000.00	8,938.14	10,000.00	10,000.00	9,000.00	6,073.59
Postage.....	6,000.00	8,025.29	7,500.00	7,495.00	8,200.00	3,193.00
Audit.....	9,500.00	9,500.00	11,500.00	11,500.00	12,500.00	12,480.00
Legal & Accounting.....	12,000.00	11,572.00	12,000.00	12,000.00	12,000.00	9,438.70
Water Works Notice.....	1,500.00	1,279.50	1,500.00	.00	1,500.00	.00
Advisory Committee.....	.00	.00	.00	.00	.00	.00
Cross Connection Program.			12,000.00	3,953.00	10,000.00	300.00
Petty Cash			960.00	698.76	960.00	56.21
Miscellaneous.....	1,000.00	995.97	400.00	400.00	400.00	.00
Land Survey.....	2,000.00	2,000.00	.00	.00	0.00	.00
Engineering.....	10,000.00	5,093.55	10,000.00	7,014.91	8,500.00	5,613.55
Survey New Water.....	.00	.00	.00	.00	.00	.00
Bonds & Interest.....	601,000.00	589,513.50	522,855.00	52,0552.80	456,475.00	64,737.50
Bank Fees.....					2,400.00	1,402.96
Reserve Fund.....	<u>25,000.00</u>	<u>16,142.12</u>	<u>30,000.00</u>	<u>19,168.40</u>	<u>30,000.00</u>	<u>.00</u>
	1,445,000.00	1,393,056.86	1,454,215.00	1,417,993.33	1,432,720.00	597,411.98

	Budgeted	Actual	Budgeted	Actual	Budgeted	6 Months
	<u>Receipts</u>	<u>Receipts</u>	<u>Receipts</u>	<u>Receipts</u>	<u>Receipts</u>	<u>Receipts</u>
Hydrants.....	.00	.00	.00	.00	.00	.00
Water Rates.....	1,379,300.00	1,509,341.19	1,355,515.00	1,398,082.24	1,302,270.00	768,881.11
Sprinklers.....	14,000.00	13,513.50	14,000.00	13,778.54	13,750.00	14,586.74
New Installations/Repairs	35,000.00	326,190.07	56,000.00	203,775.58	90,000.00	173,587.54
Rent/Lease Income....	16,700.00	14,158.14	16,700.00	19,882.35	16,700.00	10,035.84
Cross Connection.....			<u>12,000.00</u>	<u>7,625.25</u>	<u>10,000.00</u>	<u>1,601.98</u>
	1,445,000.00	1,863,202.90	1,454,215.00	1,643,144.01	1,432,720.00	968,693.21

**REPORT OF THE TREASURER
ACCOUNT BALANCES
JUNE 30, 1993**

BAYBANK MIDDLESEX		
Balance July 1, 1992	\$	56.45
Interest		.47
Closed to Fleet 11/92		<u>56.92</u>
Balance June 30, 1993		.00
FLEET BANK		
Balance July 1, 1992		0.00
Interest		<u>1,563.21</u>
Balance June 30, 1993		34,985.15
SHAWMUT I		
Balance July 1, 1992	\$	93,420.34
Interest		<u>2,518.36</u>
Balance June 30, 1993	\$	95,938.70
SHAWMUT II		
Balance July 1, 1992	\$	81,730.25
Interest		<u>1,778.02</u>
Balance June 30, 1993	\$	83,508.27
MMDT I		
Balance July 1, 1992	\$	629,047.14
Deposits		245,000.00
Interest		21,090.15
Transfers/Warrants		<u>174,000.00</u>
Balance June 30, 1993	\$	721,137.29
MMDT II: WELL & TANK		
Balance July 1, 1992	\$	41,201.79
Deposits		403.07
Interest		1,160.52
Transfers/Warrants		<u>1,299.79</u>
Balance June 30, 1993	\$	41,465.59
MMDT III: HARRIS ST./UPGRADE SERVICES		
Balance July 1, 1992	\$	268,990.95
Interest		3,890.08
Transfers/Warrants		<u>197,352.68</u>
Balance June 30, 1993	\$	75,528.35
MIDDLESEX BANK		
Balance July 1, 1992	\$	76,008.83
Interest		<u>2,657.68</u>
Balance June 30, 1993	\$	78,666.51
CAMBRIDGE TRUST		
Balance July 1, 1992	\$	70,833.00
Interest		<u>2,263.97</u>
Balance June 30, 1993	\$	73,097.57

**REPORT OF THE COLLECTOR
JUNE 30, 1993**

Outstanding June 30, 1992	72,947.43
Charges	1,628,590.62
Interest	6,924.41
Refunds	6,594.36
TOTAL	<u>1,715,056.82</u>

Payments	1,651,342.52
Abatements	12,940.91
Adjustments	2,462.77
Outstanding June 30, 1993	<u>48,310.62</u>
TOTAL	1,715,056.82

Charges

Water Rates and Services for Fiscal 1992	1,867,626.53
Water Rates and Services for Fiscal 1993	<u>1,628,590.62</u>

The charges for Fiscal 1993 show the results of the decrease in the minimum water rate, from \$24.00 per quarter to \$20.00 per quarter. The total is estimated at \$102,000.00 decrease in water revenue for the minimum charges only. The balance of the variance in water charges is due mostly to the water conservation measures used by the Water District's consumers.

Linda M. Larson
Treasurer & Collector

**REPORT OF THE COMMISSIONERS
JUNE 30, 1993**

The year 1993 was a period of significant progress for the Water Supply District of Acton. We continued to faithfully provide excellent quality water to Acton citizens and businesses, made improvements to the water distribution system, added to our equipment storage facilities, and, in what may be the most historically noteworthy accomplishment of all, took a major step toward the design and construction of a new headquarters building.

We pumped 654,853,000 gallons of water, which exceeded all federal, state, and our own District standards, through approximately 108 miles of water mains. Taking into consideration a 12% "unaccounted for" fraction, due to hydrant flushing, water main breaks, and fire control use, this volume represents an average of 1.58 million gallons per day supplied to a total of 16,376 water-takers of a total population of 17,800 individuals plus businesses, representing 6,080 individual accounts.

Continuing effort was expended to assure the excellent condition of our wells, treatment, and distribution systems. We continued our program of replacing old lead residential services with modern materials. A water main loop was completed from Robbins Street to Nash Road, linking what had been two dead-ends in the distribution system. Chemical treatment to increase water pH at the wellheads has resulted in virtual elimination of corrosion problems. And the District completed the first two rounds of testing as required under the new federal Environmental Protection Agency (EPA) Lead Testing Law.

A destructive lightning storm caused outages and equipment damage at the Kennedy Well and School Street treatment plant in early July, resulting in a temporary loss of 1 million gallons per day of pumping capacity. Corrective action was promptly implemented, including repair of affected controls and equipment at the sites and the installation of robust lightning arresting equipment at the Kennedy wellsite and at the 3.0 million gallon Wampus Hill Reservoir.

Despite the availability of new, but as-yet undeveloped, water supplies, the District is constrained to limit the withdrawal of water by recent stipulations of the EPA Water Management Act and its enforcement by the Massachusetts Department of Environmental Protection (DEP). These stipulations limit the total daily withdrawal capacity from all District wells to 1.58 million gallons (mgd). To accommodate expected population growth in Acton and the concomitant increase in demand for water, the District has applied to the DEP for the authority to increase the average daily withdrawal capacity to 2 mgd.

To assure that the new supply will be available in coming years, the District has continued preliminary steps toward acquiring Conant Site 2, which is located east of the existing Conant Well, and toward developing former W.R. Grace #3, located east of Assabet Wells 1 and 2. The steady decrease in volatile organic contaminants in the water from W.R. Grace 3 well has been noted; this improvement is particularly welcome because this well penetrates the deepest aquifer in town and has critical potential, with application of the advanced treatment technology pioneered by the District in several of our other wells, to supply water under drought conditions.

To keep pace with the requirements of continued efficient operations, we have taken several concrete steps. A vehicle and equipment storage addition was completed in September to the garage facility at District headquarters on Massachusetts Avenue (Route 111). The design of a new 2,600 square foot headquarters building was contracted in September to Carell Group Architects after an exhaustive review process; construction is scheduled for spring and summer 1994. Other progress includes upgrading the District's computer system and launching an investigation into the benefits and costs of a remote well telemetering capability.

In other matters, an extended contract was let to Cellular One and NYNEX for the use of a small portion of land on our Great Hill storage tank site for communications equipment. It is of historic interest to consider that this 5.5 acre site, which was purchased by the District for \$500 in 1912, will now yield over \$30,000 per year to the District in rental fees.

A Request for Proposal was implemented for a new financial manager for the W.R. Grace Settlement Fund. At the close of the year, the field was narrowed to three candidates, with the final selection scheduled for early January 1994.

The Commissioners gratefully acknowledge the professional and insightful leadership of District Manager John MacLeod, who with Superintendent Carleton Troupe, Treasurer/Collector Linda Larson, the Finance Committee, Commissioners' Secretary Jane Cutler, our steadfast moderator John W. Putnam, and our skilled and dedicated field and office personnel have continued the District's long tradition of service to our water-takers.

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

**REPORT OF THE FINANCE COMMITTEE
JUNE 30, 1993**

Continued new construction in the town produced above average demand and the new installation fees substantially increased the Free Cash account. With the district decreasing the bonded debt the minimum water rates were lowered for fiscal 1993 and the Annual Meeting financed articles were all paid from free cash.

The fiscal year 1994 budget decreased a modest 1.5% over the previous year. The Warrant Articles approved at the Annual Meeting in March 1993 included an appropriation of \$275,000.00 appropriated for the design and construction of a 2656 square foot new office building.

In accordance with changes in the State Procurement Laws, the Finance Committee began the review of the Investment Management contract for the W.R. Grace Fund. The income from the fund helps to maintain the quality of water and maintenance of our wells.

Our accounting firm, Scheid & Mara, P.C., has worked closely with the Treasurer/Collector in the updating of the District's computerized financial Fund Accounting system. This improved system gives financial information on a daily basis on all accounts. Also in conjunction with this system, the water used by our customers and water charges are recorded on a monthly basis.

We appreciate the continued commitment of the District Staff. In particular the extra effort and support of the District Manager, John E. MacLeod, the Treasurer/Collector, Linda M. Larson, and the District's Attorney Charles E. Orcutt, Jr., in working with the Committee to review cost of the new office building and the Procurement Act changes.

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

REPORT OF THE DISTRICT MANAGER

The following report covers the activities of the District for 1993.

New house installations	101
Old service lines replaced or renewed	30
Old meters replaced with new meters	118
Repair of damaged hydrants	9
Repair of water main and service breaks	12
Replacement of old fire hydrants	6

New Water Mains Installed in 1993:

Robbins Street-Replaced 700' of Old Main
Mill Corner
Maddy Lane

Total gallons pumped in 1993	655,853,000
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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 its 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. However, the Department of Environmental Protection (D.E.P.) of the Commonwealth of Massachusetts regulates the amount of water which we can pump yearly from our aquifers, and we have applied to withdraw more. Please read the Conservation Report in this Annual Report.

We are still working with the Department of Environmental Protection on a treatment program to remove a natural color from two (2) wells located in West Acton. This is not a health hazard when these wells are used, as we have the water tested, but the water users will notice a slight color problem.

This past year, the Water District retained the services of a private consultant to evaluate the District's operation and employee performances, to assure our customers now, and in the future, a qualified staff to provide you with a very precious commodity, and courtesy to the District's customers.

During this past year, the District experienced some major drought conditions, as well as mechanical failure problems at some of our wells, due to lightening storms. We are working on programs to try and prevent this from happening again.

Bottled Water vs. Acton Water:

The Water District can assure its customers that the water we deliver exceeds all Federal and State requirements. The majority of bottled water comes from wells similar to ours, however, their labels do not show test results.

Mandated Federal Lead and Copper Rule:

The Safe Drinking Water Act regulated by the Environmental Protection Agency (E.P.A.) requires that a public water supply test for lead and copper twice a year. The District's system is sampled twice annually at forty (40) different locations. We have passed all requirements set by (E.P.A) and will still continue to monitor for lead and copper. Potassium hydroxide has been added to our water for corrosion control, to insure that the water takers do not have any problems with lead and copper. The District adds the following chemicals to its water supply; zinc polyphosphate, sodium fluoride, potassium hydroxide and sodium hypochlorite.

Several of the District's employees have completed, and will continue to attend courses and seminars on water supply and water pollution issues.

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

The District has accumulated a library of educational material that remains on file. This material is always available for review to all citizens of Acton. The Water District will also 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 (10) other members from Massachusetts. This committee will work with the D.E.P. of Massachusetts and Environmental Protection Agency (E.P.A) 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 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.

The Water District is working with Boston Edison on an energy program to save on power costs. The Water District now purchases chemicals and other products on a consortium bid with other towns for a savings to the Water District and other communities.

Conservation is still needed - water is our most precious commodity.

I would like to thank the Planning Board, Board of Health, and the Conservation Committee for their efforts in working with other towns abutting Acton to implement strict zoning laws and regulations. These laws and regulations help protect our present and future generations drinking water supply.

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, Department of Public Works, Engineering Department, Acton Fire Department, Acton Police Department, Acton School Department and all citizens of Acton. In addition, I would like to thank the D.E.P., E.P.A., U.S. State Senator, Robert Durand, State Representative, Pam Resor and neighboring towns who have helped us with our problems. I look forward to better communications and working with all Town, State and Federal Departments in conjunction with the Acton Water District.

John E. MacLeod
District Manager

CONSERVATION REPORT

The Water Supply District of Acton pumps all of its water from ground water supplies that vary from 30 - 70 feet in depth. Normally, in the northeast we acquire sufficient amounts of snow and rain, which provides us with an adequate supply most of the time. However, we do still experience drought conditions on occasion. We have also purchased land that will provide us with future water supplies, but with new regulations set by the Department of Environmental Protection (D.E.P.), a state agency, there is still a lengthy process to receive approval for installing these future wells. In some cases these new wells might not get the required approval unless we prove that we do not affect a supply of water in a community in our river basin, whether it abutts our community, or even if it's a substantial distance away. In some cases where we have already done pumping tests on future wells, the Department of Environmental Protection (D.E.P.) could regulate our pumping capacity for protection of the acquifer. The pumping rate would be considerably less than we originally thought.

Some communities are installing water saving devices in older houses, businesses and schools, as well as working on educational programs to teach conservation methods. We will also have to work with environmental landscapers and nurseries on the proper watering of our lawns, shrubs, trees and how to maintain swimming pools properly.

The average cost to build a new well for a town water supply is about a half a million dollars, in addition to a very expensive annual operating cost.

If everyone could conserve some of our water, it will enable adequate water supplies for our future generations and population increases, as water is a resource that we must have.

WATER SUPPLY DISTRICT OF ACTON

FINANCIAL STATEMENTS

JUNE 30, 1993

C O N T E N T S

Independent Auditor's Report

Combined Statement of Assets, Liabilities and Fund Balances
- All Fund Types and Account Groups - Statutory Basis

Combined Statement of Revenues, Expenditures and Changes in Fund
Balances - All Governmental Fund Types - Statutory Basis

Statement of Revenues, Expenditures and Changes in Fund Balance
- Budget and Actual - General Fund - Statutory Basis

Statement of Revenues, Expenditures and Changes in Fund Balance
- Fiduciary Fund Type - Statutory Basis

Notes to the Financial Statements

Supplemental Schedule of Capital Projects Fund Activity
- Statutory Basis

SCHEID & MARA, P.C.
CERTIFIED PUBLIC ACCOUNTANTS

William E. Scheid, CP,
Maureen Waters Mara, CP.

70 Junction Square Driv
Concord, MA 0174

TEL 508 369-9900
FAX 508 371-2933

Independent Auditor's Report

Board of Water Commissioners
Water Supply District of Acton
Acton, Massachusetts

We have audited the accompanying financial statements of the Water Supply District of Acton as of and for the year ended June 30, 1993, as listed in the table of contents. These financial statements are the responsibility of the Water Supply District of Acton management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with generally accepted auditing standards. Those standards require that we 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. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 2, the Water Supply District of Acton prepares its financial statements on a prescribed basis of accounting that demonstrates compliance with the laws of the Commonwealth of Massachusetts which is a comprehensive basis of accounting other than generally accepted accounting principles.

In our opinion, because of the Water Supply District of Acton's policy to prepare its financial statements on the basis of accounting discussed in the preceding paragraph, the financial statements referred to in the first paragraph do not present fairly, in conformity with generally accepted accounting principles, the financial position of the Water Supply District of Acton as of June 30, 1993, or the results of its operations for the year then ended.

Independent Auditor's Report - continued

However, in our opinion, the financial statements referred to in the first paragraph present fairly, in all material respects, the cash and investment balances of the Water Supply District of Acton as of June 30, 1993, and the revenues it received and expenditures it paid for the year then ended, on the basis of accounting described in Note 2.

Our audit was made for the purpose of forming an opinion on the financial statements taken as a whole. The Supplemental Schedule of Capital Projects Fund Activity is presented for purposes of additional analysis and is not a required part of the financial statements of the Water Supply District of Acton. Such information has been subjected to the auditing procedures applied in the audit of the financial statements, and is fairly presented, in all material respects, in relation to the financial statements taken, as a whole on the basis of accounting described in Note 2.

Scheid & Mara, PC

Scheid & Mara, PC
Concord, Massachusetts
July 21, 1993

SCHEID & MARA, PC
CERTIFIED PUBLIC ACCOUNTANTS

WATER SUPPLY DISTRICT OF ACTON
 COMBINED STATEMENT OF ASSETS, LIABILITIES AND FUND BALANCES –
 ALL FUND TYPES AND ACCOUNT GROUPS – STATUTORY BASIS
 JUNE 30, 1993

	GOVERNMENTAL FUND TYPES		FIDUCIARY FUND TYPE	ACCOUNT GROUP	TOTAL
	GENERAL FUND	CAPITAL PROJECTS	W.R. GRACE FUND	GENERAL LONG TERM DEBT	(MEMORANDUM ONLY)
ASSETS					
CASH	\$1,087,332	\$75,528	\$21,837	–	\$1,184,697
INVESTMENTS	–	–	2,247,762	–	2,247,762
ACCOUNTS RECEIVABLE	48,311	–	–	–	48,311
LESS RESERVE FOR UNCOLLECTIBLE RECEIVABLES	(48,311)	–	–	–	(48,311)
DUE FROM GENERAL FUND	–	485,484	–	–	485,484
AMOUNT TO BE PROVIDED FOR LONG TERM DEBT	–	–	–	\$1,895,000	1,895,000
	-----	-----	-----	-----	-----
TOTAL ASSETS	\$1,087,332	\$561,012	\$2,269,599	\$1,895,000	\$5,812,943
	=====	=====	=====	=====	=====
LIABILITIES AND FUND BALANCES					
LIABILITIES					
LONG TERM DEBT	–	–	–	\$1,895,000	\$1,895,000
DUE TO CAPITAL PROJECTS FUND	\$485,484	–	–	–	485,484
	-----	-----	-----	-----	-----
TOTAL LIABILITIES	485,484	0	0	1,895,000	2,380,484
	-----	-----	-----	-----	-----
FUND BALANCES					
UNRESERVED	601,848	–	–	–	601,848
RESERVED FOR CAPITAL PROJECTS	–	\$561,012	–	–	561,012
RESERVED FOR W.R. GRACE	–	–	\$2,269,599	–	2,269,599
	-----	-----	-----	-----	-----
TOTAL FUND BALANCES	601,848	561,012	2,269,599	0	3,432,459
	-----	-----	-----	-----	-----
TOTAL LIABILITIES AND FUND BALANCES	\$1,087,332	\$561,012	\$2,269,599	\$1,895,000	\$5,812,943
	=====	=====	=====	=====	=====

SEE ACCOMPANYING NOTES TO THE FINANCIAL STATEMENTS.

SCHEID & MARA, P.C.
 CERTIFIED PUBLIC ACCOUNTANTS

WATER SUPPLY DISTRICT OF ACTON
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE –
BUDGET AND ACTUAL – GENERAL FUND – STATUTORY BASIS
FOR THE YEAR ENDED JUNE 30, 1993

	ACTUAL	BUDGET	VARIANCE FAVORABLE (UNFAVORABLE)
REVENUES			
WATER RATES AND SERVICES	\$1,643,144	\$1,454,215	\$188,929
INTEREST INCOME	31,872	—	31,872
TOTAL REVENUES	1,675,016	1,454,215	220,801
EXPENDITURES			
MATURING DEBT & INTEREST	520,553	522,855	2,302
SALARIES & WAGES	415,000	415,000	0
HEALTH INSURANCE	82,195	85,000	2,805
LIGHTS, POWER & TELEPHONE	78,586	80,000	1,414
MAINTENANCE & OPERATIONS	75,000	75,000	0
MIDDLESEX RETIREMENT	49,571	51,500	1,929
INSURANCE	45,932	48,500	2,568
CHEMICALS	25,000	25,000	0
RESERVE FUND	19,168	30,000	10,832
AUTO & EQUIPMENT EXPENSE	16,044	17,000	956
METERS	14,000	14,000	0
LEGAL	12,000	12,000	0
ACCOUNTING	11,500	11,500	0
OFFICE SUPPLIES	10,000	10,000	0
POSTAGE	7,495	7,500	5
LABORATORY ANALYSIS	7,275	7,500	225
ENGINEERING	7,015	10,000	2,985
FUEL	5,931	6,000	69
PERMANENT PAVING	5,000	5,000	0
CROSS CONNECTION	3,953	12,000	8,047
EDUCATION EXPENSE	3,677	4,000	323
EQUIPMENT RENT	2,000	2,000	0
PETTY CASH	699	960	261
MISCELLANEOUS	400	400	0
WATER WORDS NOTICE	—	1,500	1,500
TOTAL EXPENDITURES	1,417,994	1,454,215	36,221
REVENUES OVER EXPENDITURES	257,022	0	257,022
NET TRANSFERS BETWEEN GENERAL FUND AND CAPITAL PROJECTS	(375,345)	(375,345)	0
EXCESS OF EXPENDITURES AND NET TRANSFERS OVER REVENUES	(118,323)	(375,345)	257,022
FUND BALANCE – BEGINNING OF YEAR	720,171	720,171	0
FUND BALANCE – END OF YEAR	\$601,848	\$344,826	\$257,022

SEE ACCOMPANYING NOTES TO THE FINANCIAL STATEMENTS.

SCHEID & MARA, P.C.
CERTIFIED PUBLIC ACCOUNTANTS

WATER SUPPLY DISTRICT OF ACTON
 COMBINED STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES –
 ALL GOVERNMENTAL FUND TYPES – STATUTORY BASIS
 FOR THE YEAR ENDED JUNE 30, 1993

	GENERAL FUND	CAPITAL PROJECTS	TOTAL (MEMO ONLY)
REVENUES			
WATER RATES AND SERVICES	\$1,643,144	—	\$1,643,144
INTEREST INCOME	31,872	\$5,051	36,923
TOTAL REVENUES	1,675,016	5,051	1,680,067
EXPENDITURES			
MATURING DEBT & INTEREST	520,553	—	520,553
SALARIES & WAGES	415,000	—	415,000
CAPITAL PROJECT EXPENDITURES	—	337,553	337,553
HEALTH INSURANCE	82,195	—	82,195
LIGHTS, POWER & TELEPHONE	78,586	—	78,586
MAINTENANCE & OPERATIONS	75,000	—	75,000
MIDDLESEX RETIREMENT	49,571	—	49,571
INSURANCE	45,932	—	45,932
CHEMICALS	25,000	—	25,000
RESERVE FUND	19,168	—	19,168
AUTO & EQUIPMENT EXPENSE	16,044	—	16,044
METERS	14,000	—	14,000
LEGAL	12,000	—	12,000
ACCOUNTING	11,500	—	11,500
OFFICE SUPPLIES	10,000	—	10,000
POSTAGE	7,495	—	7,495
LABORATORY ANALYSIS	7,275	—	7,275
ENGINEERING	7,015	—	7,015
FUEL	5,931	—	5,931
PERMANENT PAVING	5,000	—	5,000
CROSS CONNECTION	3,953	—	3,953
EDUCATION EXPENSE	3,677	—	3,677
EQUIPMENT RENT	2,000	—	2,000
MISCELLANEOUS	699	—	699
PETTY CASH	400	—	400
TOTAL EXPENDITURES	1,417,994	337,553	1,755,547
REVENUES OVER(UNDER) EXPENDITURES	257,022	(332,502)	(75,480)
NET TRANSFERS BETWEEN GENERAL FUND AND CAPITAL PROJECTS	(375,345)	375,345	0
EXCESS OF EXPENDITURES AND NET TRANSFERS (OVER) UNDER REVENUES	(118,323)	42,843	(75,480)
FUND BALANCE – BEGINNING OF YEAR	720,171	518,169	1,238,340
FUND BALANCE – END OF YEAR	\$601,848	\$561,012	\$1,162,860

SEE ACCOMPANYING NOTES TO THE FINANCIAL STATEMENTS.

SCHEID & MARA, P.C.
 CERTIFIED PUBLIC ACCOUNTANTS

WATER SUPPLY DISTRICT OF ACTON
 STATEMENT OF REVENUES, EXPENDITURES AND CHANGES
 IN FUND BALANCE – FIDUCIARY FUND TYPE – STATUTORY BASIS
 FOR THE YEAR ENDED JUNE 30, 1993

	W.R. GRACE FUND
REVENUES	
DIVIDEND & INTEREST INCOME	\$158,402
NET GAIN ON INVESTMENT SALES	77,835

TOTAL REVENUES	236,237

EXPENDITURES	
MAINTENANCE & OPERATIONS	86,991
INVESTMENT MANAGEMENT FEES	16,058

TOTAL EXPENDITURES	103,049

REVENUES OVER EXPENDITURES	133,188
FUND BALANCE – BEGINNING OF YEAR	2,136,411

FUND BALANCE – END OF YEAR	\$2,269,599
	=====

SEE ACCOMPANYING NOTES TO THE FINANCIAL STATEMENTS.

SCHEID & MARA, P.C.
 CERTIFIED PUBLIC ACCOUNTANTS

NOTE 1 - GENERAL STATEMENT AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The Water Supply District of Acton ("the District") is a municipality incorporated in the Commonwealth of Massachusetts with the purpose of providing water and related services to the residents and businesses of Acton. The District is a separate municipality, distinct from the Town of Acton. The basic operations of the District are financed by water rate and services charges. In the Combined Statement of Revenues, Expenditures and Changes in Fund Balances, these operations are reflected in the General Fund.

Summary of Significant Accounting Policies

The accounting and reporting policies of the District relating to the funds and account groups included in the accompanying combined financial statements conform with the Commonwealth of Massachusetts' uniform reporting system.

The following significant accounting policies were applied in the preparation of the accompanying financial statements:

1. Reporting Entity

The District's financial statements include the accounts of all District operations. Inhabitants of the Town of Acton who are qualified to vote in elections and town affairs are eligible to vote on matters concerning the District and to act on articles of the District.

2. Basis of Presentation: Fund Accounting

The accounts of the Water Supply District of Acton are organized on the basis of funds and account groups, each of which is a separate entity with its own self-balancing accounts that comprise its assets, liabilities, fund balances, revenues, and expenditures. Resources are accounted for in individual funds based upon the purposes for which they are to be spent and the restrictions, if any, on the spending activities. The District uses the following generic fund types in its activities:

Governmental Fund Types

General Fund - the general operating fund of the District accounts for all financial resources of the District that are not required to be accounted for in another fund.

WATER SUPPLY DISTRICT OF ACTON
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 1993

Capital Projects - accounts for all resources used for the acquisition or construction of capital projects, facilities, or studies.

Fiduciary Fund Type

W.R. Grace Fund - accounts for activity of the W.R. Grace Settlement and is restricted to cover expenditures for treatment and maintenance of the water system.

Account Group

General Long-Term Debt Account Group - accounts for all long-term obligations of the District, which consist of bonds payable for capital projects.

3. Basis of Accounting

The accounts of all funds and general long-term debt group of accounts are maintained and presented in accordance with the Commonwealth of Massachusetts' uniform reporting system. 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.

Fixed assets are not recorded on the Combined Statement of Assets, Liabilities and Fund Balances of the District. Funds used to acquire fixed assets are accounted for as expenditures in the Capital Projects Fund in the fiscal year payment is made.

Appropriation balances of capital projects are carried forward in the Capital Projects Fund until completion of the project or until unexpended balances are transferred to the general fund by approval of the Annual Meeting.

4. Budgets and Budgetary Accounting

The District's annual budget is a legally adopted budget which is approved at the District's Annual Meeting. Appropriations for the Capital Projects Fund are also approved at the Annual Meeting. Any budget overrides must be approved at a specially called District Meeting.

WATER SUPPLY DISTRICT OF ACTON
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 1993

5. Investments

Investments are carried at the lower of cost or market. The W.R. Grace Fund includes investments which are managed by the firm INVESCO Management & Research, Inc. At June 30, 1993, the investments had a cost basis of \$2,247,762 and a market value of \$2,295,453.

6. Total Column on Combined Statements

Total columns on the Combined Statements are captioned "Memorandum Only" to indicate that they are presented only to facilitate financial analysis. Data in these columns do not present financial position, results of operations, or changes in financial position in conformity with generally accepted accounting principles. Neither is such data comparable to a consolidation.

NOTE 2 - DEPARTURES FROM GENERALLY ACCEPTED ACCOUNTING PRINCIPLES

As indicated in Note 1, the District prepares its financial statements using the Commonwealth of Massachusetts' uniform reporting system which is a comprehensive basis of accounting other than generally accepted accounting principles.

The District uses the Commonwealth of Massachusetts' uniform reporting system whereby revenues are recorded when received and expenditures are recorded when they are paid. Under generally accepted accounting principles, the District's General Fund would be accounted for on the accrual method of accounting whereby revenues are recognized in the accounting period in which they are earned and become measurable and expenses are recognized in the accounting period incurred.

The District also uses the Commonwealth of Massachusetts' uniform reporting system whereby the costs of fixed assets are reported as expenditures from the Capital Projects Fund. Under generally accepted accounting principles, the fixed assets would be capitalized on the balance sheet and depreciated over the useful lives of the various assets.

NOTE 3 - INTERFUND RECEIVABLES AND PAYABLES

At June 30, 1993, \$485,484 is due to the Capital Projects Fund from the General Fund.

SCHEID & MARA, P.C.
CERTIFIED PUBLIC ACCOUNTANTS

WATER SUPPLY DISTRICT OF ACTON
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 1993

NOTE 4 - GENERAL LONG-TERM DEBT

General Long-Term Debt consists of the following obligations at June 30, 1993:

Description	Original Amount	Interest Rate	Date of Issue	Date of Maturity	Balance 6/30/93
Water Mains	\$910,000	9.75%	06/15/82	06/15/94	\$50,000
Water Mains	595,000	7.5%	06/01/85	06/01/97	195,000
Water Mains	625,000	6.39%	08/15/86	02/15/98	250,000
Walsh Rsrvr	<u>2,100,000</u>	6.7%	06/01/89	06/01/01	<u>1,400,000</u>
Total	<u>\$4,230,000</u>				<u>\$1,895,000</u>

During the year ended June 30, 1993, \$365,000 of principal and \$155,553 of interest was paid on the bonds. The total of these amounts, \$520,553, is reported as "Maturing Debt & Interest" in the Combined Statement of Revenues, Expenditures and Changes in Fund Balances - All Governmental Fund Types.

The annual requirements to amortize all debt outstanding as of June 30, 1993 are as follows:

Fiscal Year Ended June 30,	
1994	\$325,000
1995	275,000
1996	275,000
1997	270,000
1998	225,000
1999 - 2001	<u>525,000</u>
Total	<u>\$1,895,000</u>

SCHEID & MARA, PC
CERTIFIED PUBLIC ACCOUNTANTS

WATER SUPPLY DISTRICT OF ACTON
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 1993

NOTE 5 - RETIREMENT PLAN

Substantially all employees of the District are members of the Middlesex County Retirement Fund. The retirement system is funded by both employer and 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. In addition, employees contribute 5%, 7% or 8% of their base pay depending on when they entered the system. The District's contributions for the year ended June 30, 1993, were \$49,571.

NOTE 6 - COMMITMENTS

The District has entered into certain contracts for delivering pipes, valves, hydrants and fittings and for installing the water mains on Harris Street and on Robbins Street. The funds for these projects have been reserved in the Capital Projects Fund.

CONCLUDED.

WATER SUPPLY DISTRICT OF ACTON
SUPPLEMENTAL SCHEDULE OF CAPITAL PROJECTS FUND ACTIVITY --STATUTORY BASIS
FOR THE YEAR ENDED JUNE 30, 1993

	BEGINNING BALANCE 6/30/92	-----REVENUES----- TRANSFER FROM GENERAL FUND	INVESTMENT INCOME	---EXPENDITURES--- TRANSFER TO GENERAL FUND	PAYMENTS	ENDING BALANCE 6/30/93
ASSABET WELL TREATMENT	\$20,000	-	-	-	-	\$20,000
BOSTON GAS	129	-	-	\$129	-	0
CAR 92	773	-	-	8	\$765	0
CLAPP WELL AQUIFER	1,225	-	-	-	690	535
CLAPP/WHITCOMB COLOR	7,739	-	-	-	-	7,739
COMPUTER ELECTRICAL EQUIPMENT	15,000	-	-	-	7,719	7,281
CONANT LAND	12,533	-	-	-	10,251	2,282
CONANT #2 REPORTS	5,551	-	-	-	5,551	0
CONCORD CONNECTION	3,031	-	-	1,307	1,724	0
CONSULTING 93	0	\$6,000	-	-	1,980	4,020
COPIER 93	0	6,500	-	-	6,500	0
CROSS CONNECTION	18,259	-	-	-	1,901	16,358
ETHAN ALLEN CEMENT REPAIRS	2,000	-	-	-	-	2,000
ETHAN ALLEN UTILITY BLDG	6,083	-	-	-	3,132	2,951
GROUND WATER MONITOR WELL	1,954	-	-	1,954	-	0
HARLAN GARAGE	40,000	-	-	-	34,418	5,582
HARLAN STORAGE/OFFICE	411	-	-	242	169	0
HARRIS STREET EXTENSION	268,991	-	\$3,890	5,784	197,353	69,744
LAWN MOWER	500	-	-	401	99	0
NAGOG ALTITUDE VALVE	13,000	-	-	-	7,090	5,910
NAGOG UTILITY BUILDING	24	-	-	-	24	0
NASH ROAD EASEMENT	22,000	-	-	-	22,000	0
OFFICE BUILDING 93	0	275,000	-	-	-	275,000
PICK UP TRUCK 93	0	6,700	-	-	5,318	1,382
POPE ROAD LOOP	5,549	-	-	-	5,549	0
PROPANE TANKS	10,000	-	-	-	350	9,650
ROBBINS ST 93	0	53,000	-	-	6,028	46,972
SALARY & WAGES OVERTIME	10,294	-	-	-	2,000	8,294
SEPTAGE LAGOONS MONITORING	2,214	-	-	-	867	1,347
SOFTWARE 93	0	8,000	-	-	5,450	2,550
STEEL BUILDING	793	-	-	793	-	0
TANK INTERIOR INSPECTIONS	2,650	-	-	-	-	2,650
TELEMETERING 93	0	10,000	-	-	-	10,000
UPDATE SERVICES 93	0	50,000	-	-	-	50,000
UTILITY TRUCK 93	0	12,228	-	-	9,728	2,500
WAMPUS/KENNEDY	41,201	-	1,161	41,465	897	0
WHITCOMB POWER UPDATE	972	-	-	-	-	972
WHITCOMB WELL STUDY	5,293	-	-	-	-	5,293
	\$518,169	\$427,428	\$5,051	\$52,083	\$337,553	\$561,012
	=====	=====	=====	=====	=====	=====

SEE ACCOMPANYING NOTES TO THE FINANCIAL STATEMENTS.

SCHEID & MARA, PC
CERTIFIED PUBLIC ACCOUNTANTS

WATER MEETING

Abstract of the proceeding 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, West Acton

WEDNESDAY, MARCH 17, 1993 AT 7:30 P.M.

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, 1993, in accordance with the provisions of the General Laws, Chapter 44, Section 4, and to renew any note or notes as may be given for a period of less than one year, in accordance with the provisions of General Laws, Chapter 44, Section 17.

(Unanimous)

ARTICLE 4. VOTED: To appropriate from estimated receipts of the District the sum of \$1,432,720.00 for maintenance and operation of the District, and specific appropriations as follows:

Estimated Budget Expenditures for 1993-1994

Advisory Committee	\$ 0.00
Audit	12,500.00
Auto & Equipment Expense	17,000.00
Bank Fees	2,400.00
Bonds & Interest	456,475.00
Chemicals	20,000.00
Cross Connection	10,000.00
Educational Expense	4,000.00
Engineering	8,500.00
Equipment Rental	2,000.00
Fuel	6,000.00
Health & Life Insurance	93,500.00
Insurance/Domestic	52,000.00
Laboratory Analysis	10,000.00
Land Survey	0.00
Legal & Accounting	12,000.00
Lights, Power & Telephone	80,000.00
Maintenance & Operation	75,000.00
Meters	16,000.00
Miscellaneous	400.00
Middlesex County Retirement	54,285.00
Office Supplies	9,000.00
Permanent Paving	6,000.00
Petty Cash	960.00
Postage	8,200.00
Reserve Fund	30,000.00
Salaries & Wages	445,000.00
Survey New Water	0.00
Water Works & Notice	30,000.00
TOTAL BUDGET	<u>\$1,432,720.00</u>

Estimated Receipts for 1993 - 1994

Cross Connection Program	10,000.00
Land Lease Income	16,700.00
Repairs & New Installations	90,000.00
Sprinklers	13,750.00
Water Rates	1,302,270.00
TOTAL RECEIPTS	<u>1,432,720.00</u>

(Unanimous)

ARTICLE 5. VOTED: That the District authorize the Commissioners to transfer from Receipt Reserve for Appropriation Account (W.R. Grace 1987 Settlement) the sum of \$90,000.00 for the maintenance and operation, carbon replacement and power costs at the various treatment plants operated by the District.

(Unanimous)

ARTICLE 6. VOTED: That the District authorize the Treasurer with the approval of the Commissioners to transfer to the Surplus Revenue Account the following expended balances remaining after the completion of projects previously authorized by vote of the District.

A. Unexpended balance in the sum of \$128.72 for project completed under Article #9 of the Annual Meeting of March 21, 1990, which approved installing natural gas to pumping stations.

B. Unexpended balance in the sum of \$7.51 for completed project under Article #16 of the Annual Meeting of March 18, 1992, which approved the purchase of a new car.

C. Unexpended balance in the sum of \$1,307.35 for completed project under Article #8 of the Annual Meeting of March 21, 1990, which approved connection of the District's water main to the Town of Concord water main at Lawsbrook Road.

D. Unexpended balance in the sum of \$242.11 for completed project under Article #11 of the Annual Meeting of March 20, 1991, which approved storage space at the Harlan Tuttle Building.

E. Unexpended balance in the sum of \$401.20 for completed project under Article #6 of the Annual Meeting of March 18, 1992, which approved the purchase of a new lawn mower.

F. Unexpended balance in the sum of \$793.15 for completed project under Article #8 of the Annual Meeting of March 18, 1987, which approved the purchase of a steel building at the Clapp Well to protect the carbon treatment vessel.

G. Unexpended balance in the sum of \$1,954.34 for completed project under Article #7 of the Special Meeting of October 22, 1986, to install various monitoring wells.

(Unanimous)

ARTICLE 7. VOTED: That the District authorize the Commissioners to enter into a written agreement for three (3) years in the amount of \$4,000.00 for the first year, \$4,500.00 the second year and \$5,000.00 the third year, with Explosive Supply Company, Inc., a Massachusetts Corporation having a usual place of business in Acton, Massachusetts, for the purpose of continued use of three magazines for storage of explosives on land owned by the District off Powder Mill Road and new

High Street in Acton.

(Unanimous)

ARTICLE 8. VOTED: That the District amend the By-Laws by adding a Section 16, to read as follows:

The owner of property supplied will be charged for all water furnished to the premises during ownership of the premises. When ownership changes, the name and mailing address of the owner shall be given to the Treasurer/Collector of the District, at once, so that bills may be properly rendered.

The property owner must keep the water meter on the premises easily accessible for reading at all times, and shall not tamper with the meter in any way. Each ownership must be separately served and metered so that each water user can be denied water service without disrupting service to other owners.

All new construction shall require separate service lines and meters.

(Majority)

ARTICLE 9 VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue the sum of \$275,000.00 to build a new single story office building, with slab foundation, and a sealed septic system with alarm, and site work, and landscaping, and to provide furniture, equipment and appurtenances for the office building, on land owned by the District located at 693 Massachusetts Avenue (Route 111), and to engage engineers and architects for the building design and site plans.

(Unanimous)

ARTICLE 10. VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue the sum of \$6,500.00 to purchase a new copier machine to replace the old copier.

(Unanimous)

ARTICLE 11. VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue the sum of \$8,000.00 to purchase software and set up new computer programs for the District.

(Unanimous)

ARTICLE 12. VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue the sum of \$53,000.00 to install a new eight inch (8") water main in Robbins Street, a distance of 700 feet more or less, together with hydrants and necessary fittings; and to renew 4 or 5 house services from the new main in Robbins Street to the property line.

(Unanimous)

ARTICLE 13. VOTED: That the District authorize the Commissioners to accept a deed of a twenty foot (20 foot) wide easement for land at the end of Overlook Drive, located between Lots 9A and 10A, and being shown as "Utility Easement F", on a plan entitled, "Meadow View, Acton, Massachusetts, Definitive Plan, prepared for Warren R. Bolton, dated January 15, 1992", Plan #358 Book 22022, Page 111, Middlesex South Registry of Deeds, and presently owned by Kavanagh Homes, Inc., a Massachusetts Corporation with a principal place of business at Lowell, Massachusetts to complete District's ownership of easements from Overlook Drive to Nash Road.

(Unanimous)

ARTICLE 14. VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue the sum of \$12,228.00 and authorize the Commissioners to purchase a new vehicle with utility body and to authorize the Commissioners to trade the 1988 Chevrolet one-ton truck as part of the purchase.

(Unanimous)

ARTICLE 15. VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue the sum of \$6,700.00 and to authorize the Commissioners to purchase a new small pick-up truck, and to authorize the Commissioners to trade the 1991 Chevrolet S-10 truck as part of the purchase.

(Unanimous)

ARTICLE 16. VOTED: That the District authorize the Commissioners to enter into a written agreement with Southwestern Bell Mobile Systems, Inc. DBA Cellular One to permit joint use of the existing communication tower on Great Hill, and to permit Cellular One to construct on land owned by the District on Great Hill, a modular designed precast communication building and security system, and to provide a non-exclusive access and utility easement from Main Street to the existing communication tower and building site. Said agreement shall include such other terms, conditions and limitations as the Commissioners shall deem necessary and proper.

(Majority)

ARTICLE 17. VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue the sum of \$10,000.00 to employ a consultant to provide a report and recommendations for conversion to an automatic telemetering system for improved management of the water system.

(Unanimous)

ARTICLE 18. VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue the sum of \$50,000.00 for the purpose of renewing numerous outdated services from the existing water main to the owner's property line.

(Unanimous)

ARTICLE 19. VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue the sum of \$6,000.00 to engage the services of a professional management consultant to evaluate personnel practices, policies, and objectives of the District.

(Majority)

ARTICLE 20. VOTED: That the District take no action on the Article.
(Unanimous)

ARTICLE 21. VOTED: That the District authorize the Commissioners to enter into a written agreement on such terms, conditions and limitations as the Commissioners determine as necessary and proper, with Assabet Communication Corporation, a Massachusetts Corporation having its usual place of business in Concord, Massachusetts, for continuation of the use of a certain area of land located within a four hundred foot (400') radius of Assabet Well #3, located off Knox Trail in South Acton; said area to be used in connection with an existing radio antenna system for a community radio station licensed by the Federal Communications Commission, and known as Walden 1120 Radio.

(Unanimous)

Adjourned: 9:14 PM

Water Supply District of Acton

A true copy:

Attest:

Anita E. Page
Clerk

March 17, 1993

WATER MEETING

Abstract of the proceedings of the annual elections of officers of the Water Supply District of Acton, held on

TUESDAY MARCH 30, 1993

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

Total number of ballots cast: 4766

The following were elected:

Commissioner for 3 years: Stephen C. Stuntz 3395

Moderator for 1 year: John Putnam 3478

Clerk for 1 year: Anita E. Page 3465

A true copy:

Attest:

Anita E. Page
District Clerk

WATER SUPPLY DISTRICT OF ACTON
RULES, REGULATIONS AND RATES
Amended January 25, 1993

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

A. All applications for the use of water are available at the Whitcomb Pumping Station, 693 Mass. Avenue. Demand charge schedule is set forth as follows:

PIPE SIZE	DEMAND CHARGE
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
Building 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

1. The demand charges are payable prior to service connection. 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.

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 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 shutoff.

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. Water bills and repairs of existing services, must be paid in full within 30 days of the billing date. All bills for new installations, including supplies and labor must be paid in full prior to the water service turn-on.

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 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 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 month period. This will allow the use of 1000 cubic feet each 6 months, with no 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 month 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 will 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 for 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 plans 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 water 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 owner's 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.

32. Any new water service or fire line from the water main to a dwelling, building or structure shall be in a separate, underground trench. No other utility (i.e., gas, electric, telephone, cable TV) will be in the same trench unless the District Manager determines that the ground conditions prevent a separate trench. In such cases, a suitable plan prepared by a registered professional engineer shall be submitted to the District Manager and Dig Safe for approval to insure safety and accessibility for repair, replacement or inspection of the lines located in the same trench.

By Order of The Acton Water Commissioners

Leonard A. Phillips, Chairman

Stephen C. Stuntz

Ronald R. Parenti

WATER FILTERS

The Acton Water District has adopted a guideline concerning the public use of filter devices on the water supply system. This is based on a general policy promulgated by the D.E.Q.E. (DWS Policy 88-07), advising water surveyors 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 and 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.

REGULATIONS
FOR THE
CONTROL OF BACKFLOW AND CROSS-CONNECTIONS
WATER SUPPLY DISTRICT OF ACTON
JUNE 11, 1990

SECTION 1. CROSS-CONNECTION CONTROL AUTHORITY

As provided in the Federal Safe Drinking Water Act of 1974 (Public Law 93-523); and under the provisions of Massachusetts General Laws, Chapter 41, Section 69B; Massachusetts Drinking Water Regulations, 310 C.M.R., Section 22.22; and Section 13, of the By-Laws of the Water Supply District of Acton, the water purveyor, has the primary control and responsibility for preventing water from unapproved sources, or any substances, from entering the public potable water system. The said Water Supply District of Acton upon written request to the Department of Environmental Protection, is acting as the Department's designee as provided in 310 C.M.R., Section 22.22.

SECTION 2. CROSS-CONNECTION CONTROL - GENERAL POLICY

2.1 **Purpose** The purpose of this regulation is:

2.1.1 To protect the public potable water supply of the area served by the Water Supply District of Acton (hereinafter referred to as Water District) from the possibility of contamination or pollution by isolating within its customer's internal distribution system(s) or its customers's private water system(s) such contaminants or pollutants which could backflow or back-siphon into the public water supply system; and

2.1.2. To promote the elimination or control of existing cross-connections, actual or potential, between its customer's in-plant potable water system(s) and non-potable systems, plumbing fixtures and industrial piping systems; and

2.1.3. To provide for the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination or pollution of all potable water systems by cross-connection.

2.2 **Responsibility** The Manager of the Water Supply District of Acton (hereinafter referred to as District Manager) shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow or back-siphonage of contaminants or pollutants through the water service connection. If, in the judgment of said District Manager an approved backflow prevention device is required, at the District's water service connection to any customer's premises, for the safety of the water system, the District Manager or his designated agent shall give notice in writing to said customer to install such an approved backflow prevention device at each service connection to his premises. The customer shall, within 30 days, install such approved device or devices at his own expense, and failure, refusal or inability on the part of the customer to install said device or devices within 30 days

constitute a ground for discontinuing water service to the premises until such device or devices have been properly installed.

SECTION 3, DEFINITIONS

3.1 **District Manager** The District Manager, or his designated agent, in charge of Water District is invested with the authority and responsibility for the implementation of an effective cross-connection control program and for the enforcement of the provisions of this ordinance.

3.2 **Approved** Accepted by the District Manager as meeting an applicable specification stated or cited in this regulation, or as suitable for the proposed use.

3.3 **Auxiliary Water Supply** Any water supply on or available to the premises other than the purveyor's approved public potable water supply.

3.4 **Backflow** The flow of water or other liquids, mixtures or substances under pressure into the distributing pipes of a potable water supply system from any source or sources other than its intended source.

3.5 **Back-siphonage** The flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply system from any source other than its intended source caused by the sudden reduction of pressure in the potable water supply system.

3.6 **Backflow Preventer** A device or means designed to prevent backflow or siphonage.

3.6.1. **Air-Gap** The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing fixture, or other device and the flood rim of said vessel. An approved air-gap shall be as required by Water District standards.

3.6.2. **Reduced Pressure Principle Device** An assembly of two independently operating approved check valves with an automatically operating differential relief valve between the two check valves, tightly closing shut-off valves on either side of the check valves, plus properly located test cocks for the testing of the check and relief valves.

3.6.3. **Double Check Valve Assembly** An assembly of two independently operating approved check valves with tightly closing shut-off valves on each side of the check valves, plus properly located test cocks for the testing of each check valve.

3.6.4. **Pressure Vacuum Breaker** A device containing one or two independently operating loaded check valves and an independently operating loaded air inlet valve located on the discharge side of the check or checks.

3.7 **Contamination** Means an impairment of the quality of the potable water by sewage, industrial fluids or waste liquids, compounds or other materials to a degree which creates an actual hazard to the public health through poisoning or other serious

health effects or otherwise be hazardous to the health and safety or through the spread of disease.

3.8 Cross-Connection Any physical connection or arrangement of piping or fixtures between two otherwise separate piping systems one of which contains potable water and the other non-potable water or industrial fluids of questionable safety, through which, or because of which, backflow or back-siphonage may occur into the potable water system.

3.9 Cross-Connections - Controlled A connection between a potable water system and a non-potable water system with an approved backflow prevention device properly installed that will continuously afford the protection commensurate with the degree of hazard.

3.10 Cross-Connection Control By Containment The installation of any approved backflow prevention device at the water service connection to any customer's premises, or the installation of an approved backflow prevention device on the service line leading to and supplying a portion of a customer's water system where there are actual or potential cross-connections which cannot be effectively eliminated or controlled at the point of cross-connection.

3.11 Hazard, Degree of The term is derived from an evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.

3.11.1 Hazard - Health (High Hazard) Any condition, device, or practice in the water supply system and its operation which could create, or, in the judgment of the Water District Manager, may create a danger to the health and well being of the water consumer.

3.11.2 Hazard - Plumbing (High Hazard) A plumbing type cross-connection in a consumer's potable water system that has not been properly protected by a vacuum breaker, air-gap separation or backflow prevention device. Unprotected plumbing type cross-connections are considered to be a health hazard.

3.11.3 Hazard - Pollution (Low Hazard) An actual or potential threat to the physical properties of the water system or to the potability of the public or the consumer's potable water system but which would constitute a nuisance or be aesthetically objectionable or could cause damage to the system or its appurtenances, but would not be dangerous to health.

3.12 Industrial Fluids System Any system containing a fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, pollutional or plumbing hazard if introduced into an approved water supply.

3.13 Pollution Means the presence of any foreign substance (organic, inorganic, or biological) in water which tends to degrade its quality so as to constitute a hazard or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such waters for domestic use.

3.14 **Water - Potable** Water from a source which has been approved by the Massachusetts Water Supply and Pollution Control Commission for human consumption.

3.15 **Water - Non-Potable** Water which is not safe for human consumption or which is of questionable potability.

3.16 **Water - Service Connections** The terminal end of a service connection from the public potable water system; i.e., where the water purveyor loses jurisdiction and sanitary control over the water at its point of delivery to the customer's water system. If a meter is installed at the end of the service connection, then the service connection shall mean the downstream end of the meter. Service connection shall also include water service connection from a fire hydrant and all other temporary or emergency water service connections from the public potable water system.

3.17 **Water - Used** Any water supplied by a water purveyor from a public potable water system to a consumer's water system after it has passed through the point of delivery and is no longer under the sanitary control of the water purveyor.

SECTION 4, REQUIREMENTS

4.1 Water System

4.1.1. The water system shall be considered as made up of two parts: the utility system and the customer system.

4.1.2. Utility system shall consist of the source facilities and the distribution system; and shall include all those facilities of the water system under the complete control of the utility, up to the point where the customer's system begins.

4.1.3. The source shall include all components of the facilities utilized in the production treatment, storage, and delivery of water to the distribution system.

4.1.4. The distribution system shall include the network of conduits used for the delivery of water from the source to the customer's system.

4.1.5. The customers system shall include those parts of the distribution system which provide domestic drinking water to all internal areas of the customer's facilities. The customer's system begins at the end of the Water District's distribution system providing potable water.

4.2 Policy

4.2.1. No water service connection to any premises shall be installed or maintained by the Water District unless the water supply is protected as required by Massachusetts State Law, and this regulation. Service of water to any premises shall be discontinued by the Water District if a backflow prevention device required by this regulation is not installed, tested and maintained, or if it is found that a backflow

prevention device has been removed, by-passed, or if an unprotected cross-connection exists on the premises. Service will not be restored until such conditions or defects are corrected.

4.2.2. The customer's system should be open for inspection at all reasonable times to authorized representatives of the Water District to determine whether cross-connections or other structural or sanitary hazards, including violations of this regulation exist. When such a condition becomes known, the District Manager shall deny or immediately discontinue service to the premises by providing for a physical break in the service line until the customer has corrected the condition(s) in conformance with state and local statutes relating to plumbing and water supplies and the regulations adopted pursuant thereto. All expenses relating to the disconnection and reconnection shall be at the customer's expense.

4.2.3. An approved backflow prevention device where required in accordance with Section 2.2 above, shall be installed on each service line to a customer's water system at or near the property line or immediately inside the building being served; but, in all cases, before the first branch line leading off the service line wherever the following conditions exist:

4.2.3A In the case of premises having an auxiliary water supply which is not or may not be of safe bacteriological or chemical quality and which is not acceptable as an additional source by the Water District, or Department of Environmental Protection or Acton Board of Health, the public water system shall be protected against backflow from the premises by installing a backflow prevention device in the service line appropriate to the degree of hazard.

4.2.3B In the case of premises on which any industrial fluids or any other objectionable substance is handled in such a fashion as to create an actual or potential hazard to the public water system, the public water system shall be protected against backflow from the premises by installing a backflow prevention device in the service line appropriate to the degree of hazard.

4.2.3C In the case of premises having (1) internal cross-connection that cannot be permanently corrected and controlled, or (2) intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not dangerous cross-connections exist, the public water system shall be protected against backflow from the premises by installing a backflow device in the service line.

4.2.4. The type of protective device required under subsections 4.2.3A, B, C shall depend upon the degree of hazard which exists as follows:

4.2.4A In the case of any premises where there is an auxiliary water supply as stated in subsection 4.2.3A of this section; or

4.2.4B Where there is any material dangerous to health which is handled in a fashion as to create an actual or potential hazard to the public water system; or

4.2.4C Where there are "uncontrolled" cross-connections, either actual or potential, the public water system shall be protected by an approved air-gap separation or an approved reduced pressure principle backflow prevention device at the service connector.

4.2.4D In the case of any premises where there is water or substance that would be objectionable but not hazardous to health, if introduced into the public water system, the public water system shall be protected by an approved double check valve assembly.

4.2.4E In the case of any premises where, because of security requirements or other prohibitions or restrictions it is impossible or impractical to make a complete inplant cross-connection survey, the public water system shall be protected against backflow or back-siphonage from the premises by the installation of a back-flow prevention device in the service line. In this case, maximum protection will be required; that is, an approved air-gap separation or an approved reduced pressure principle backflow prevention device shall be installed in each service to the premises.

4.2.5. Any backflow prevention device required herein shall be of a mode and size approved by the District Manager. The term "approved backflow prevention device" shall mean a device that is on the "approved list of backflow preventers and double check valves" as described in the Drinking Water Regulations of Mass., (310 C.M.R., 22.22) Department of Environmental Protection, as the same may be amended from time to time. Said approval lists have been adopted by the District Manager.

4.2.6. It shall be the duty of the customer-user at any premise where backflow prevention devices are installed to have certified inspections and operational tests made at least once per year as required under Mass. regulations and this regulation. The Water District will conduct testing on these devices twice a year. The owner of the device will be charged for these tests. The Water District may have these tests performed by a designated representative.

In those instances where the District Manager deems the hazard to be great enough, he may require certified inspections at more frequent intervals. These inspections and tests shall be at the expense of the water user and shall be performed by Water District personnel or by a certified tester approved by the District Manager and approved by the State of Massachusetts. It shall be the duty of the District Manager to see that these timely tests are made. The District Manager shall notify the customer-user in advance when the tests are to be undertaken so that he or his representatives may witness the test if so desired. These devices shall be repaired, overhauled or replaced at the expense of the customer-user whenever said devices are found to be defective. Records of such tests shall be kept by the District Manager.

4.2.7. All presently installed backflow prevention devices which do not meet the requirements of this section, but were approved devices for the purposes described herein at the time of installation and which have been properly maintained, shall, except for the inspection and maintenance requirements under subsection 4.2.6, be excluded from the requirements of these rules so long as the District Manager is

assured that they will satisfactorily protect the utility system. Whenever the existing device is moved from the present location or requires more than the maintenance or when the District Manager finds that the maintenance constitutes a hazard to health, the unit shall be replaced by a backflow prevention device meeting the requirements of this section.

4.2.8. All industrial and commercial establishments attached to the Water District are required to install at the service entrance immediately downstream of the meter a reduced pressure (RP) backflow device.

4.2.9. All decisions relating to determination of backflow devices will be made by the Commissioners or District Manager. Failure to comply with any directive from this office will result in termination of service.

5.1 All testing and or maintenance performed on backflow devices by the Water District or its agent will be charged to the owner of the device.

Rules and Regulations adopted by the Commissioners of the Water Supply District of Acton, June 11, 1990, at a Regular meeting of said Commissioners.

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

**Fee Schedule for Backflow and
Cross-Connections
June 11, 1990**

A. Survey Fees

\$55.00 - first hour or part thereof (minimum)

\$26.00 - each additional hour - chargeable in one-quarter hour installments.

B. Testing Fees (During normal work hours).

1st Device - \$55.00 per device (or unit).

2nd Device and all additional devices - \$30.00 per device (or unit).

C. If testing cannot be conducted during regular work hours (Mon. - Fri.), a fee of one and one-half the above will be charged.

Adopted by the Commissioners of the Water Supply District of Acton, June 11, 1990 at a regular meeting of said Commissioners.

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

**BY-LAWS 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 candidate 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 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 not 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 an 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 or 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 non-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 duty 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 the By-Law: Enforcement authority shall mean the District's Board of Water Commissioners having the 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.c111, 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 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 users of the District Supply.

Section 5 - Penalty:

Any person or entity who violate 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 and \$100.00 for each subsequent violation which shall insure 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.

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 continue 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 provision of law.

h. The provisions of this By-Law, as amended from time to time, are separable. If any provisions 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 provision, or any amendment thereto, is held invalid the applications of such provision to other person and circumstance shall not be affected thereby.

XVII "Addition to By-Laws"

The owner of property supplied will be charged for all water furnished to the premises during ownership of the premises. When ownership changes, the name and mailing address of the new owner shall be given to the Treasurer/Collector of the District, at once, so that bills may be properly rendered.

The property owner must keep the water meter on the premises easily accessible for reading at all times, and shall not tamper with the meter in any way. Each ownership must be separately served and metered so that each water user can be denied water service without disrupting service to other owners.

All new construction shall require separate service lines and meters.

XIX 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; 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 hour to insure that contract provisions are being adhered to, and provision for halting operation 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.

