

**ANNUAL REPORT**  
OF THE  
**WATER SUPPLY DISTRICT**  
OF  
**ACTON, MASSACHUSETTS**

For the year ending December Thirty-first 1994



**WARRANT ARTICLES**  
FOR THE  
**ANNUAL MEETING**

MARCH 15, 1995

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

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# WATER DISTRICT ORGANIZATION - 1994

## ELECTED OFFICIALS

### COMMISSIONERS

Donald R. Parenti, Chairman	Term expires 1995
Stephen C. Stuntz	Term expires 1996
Leonard A. Phillips	Term expires 1997

### CLERK

Janita E. Page	Term expires 1995
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### MODERATOR

Charles E. Orcutt, Jr.	Term expires 1995
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## APPOINTED OFFICIALS

### FINANCE COMMITTEE

Theodore Jarvis, Chairman	Term expires 1996
William Kingman	Term expires 1996
Charles Bradley	Term expires 1995

### DISTRICT MANAGER

John E. MacLeod	Contract expires 1995
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### TREASURER & COLLECTOR

Janis M. Larson	Term expires 1995
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### ATTORNEY

Charles E. Orcutt, Jr.	Term expires 1995
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### ASSISTANT DISTRICT COUNCIL

Gary Bassett-Stanford	
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### COMMISSIONERS SECRETARY

Janie Cutler	
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### ACCOUNTANTS

Sheid & Mara, P.C.	
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# WATER DISTRICT STAFF - 1994

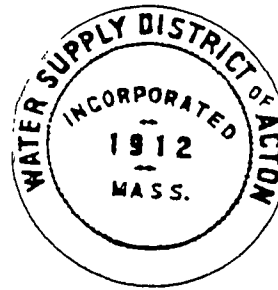
DISTRICT MANAGER	John E. MacLeod
SUPERINTENDENT	Carleton Troupe
TREASURER/COLLECTOR	Linda M. Larson
SECRETARY/A/P BOOKKEEPER	Debra A. Pyrro
CLERK/A/R BOOKKEEPER	Helen F. Argento
FOREMAN	Robert Koch
ASSISTANT FOREMAN CROSS CONNECTION SPECIALIST	Stephen Peterson, Jr.
OPERATOR/WELL SPECIALIST	Paul McGovern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

ACTON WATER DISTRICT

WARRANT

MARCH 15, 1995

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 28, 1995**  
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.

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

Acton-Boxborough Junior High School Auditorium  
Charter Road at Mass. Avenue, West Acton  
On **WEDNESDAY, MARCH 15, 1995**  
at 7:30 o'clock P.M.

Then and there to act on the following articles:

TICLE 1. To fix salaries of the elected officers.

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

TICLE 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 or the fiscal year beginning July 1, 1995, 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 other action relative thereto.

TICLE 4. To see what sums of money the District will vote to raise and appropriate to defray the usual expenses of the District.

TICLE 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.

TICLE 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 \$932.60 for project completed under Article 9 of the Annual Meeting of March 16, 1994, which approved paying a water withdrawal fee to the Department of Environmental Protection (D.E.P.)

B. Unexpended balance in the sum of \$1,988.08 for project completed under Article 1 of the Special District

Meeting of September 28, 1994 which approved buying a new pick-up truck.

- C. Unexpended balance in the sum of \$6277.12 for project completed under Article 12 of the Annual Meeting of March 17, 1993, which approved the installation of a new eight inch (8") water main on Robbins Street.

ARTICLE 7. To see if the District will vote to transfer from Surplus Revenue \$11,000.00 to purchase a Burster Machine (used for trimming, separating, decolating bills), and to authorize the Commissioners to trade or sell the present Burster Machine, or to take any other action relative thereto.

ARTICLE 8. To see if the District will vote to transfer from Surplus Revenue \$12,500.00 to purchase a Trenching Box (or Shoring Box), or to take any other action relative thereto.

ARTICLE 9. To see if the District will vote to transfer from Surplus Revenue \$45,000.00 for the purpose of renewing numerous outdated water services from existing water mains to the property line; and to change several old outdated fire hydrants, or to take any other relative action thereto.

ARTICLE 10. To see if the District will vote to transfer from Surplus Revenue \$25,000.00 to purchase automated meter reading equipment, which can be adapted to our present computer equipment, or to take any other action relative thereto.

ARTICLE 11. To see if the District will vote to transfer from Surplus Revenue \$31,200.00 to pay the District Manager, John E. MacLeod, his severance package, or to take any other action relative thereto.

ARTICLE 12. To see if the District will vote to authorize the Commissioners to submit the following for enactment by the Senate and House of Representatives of the General



Court, and the District by its vote herein approves and accepts the provisions of said Act relative to the early retirement of John E. MacLeod, Manager of the Water Supply District of Acton, or to take any other action relative thereto.

An Act relative to the Early Retirement of a Certain Employee of the Water Supply District of Acton.

Section One:

Notwithstanding the provisions of any general or special law to the contrary, John E. MacLeod, the Manager of the Water Supply District of Acton shall be eligible for early retirement pursuant to the provisions of section forty-eight of chapter one hundred and thirty-three of the Acts of nineteen hundred and ninety-two; provided, however, that said John E. MacLeod shall submit his application for retirement pursuant to this act not later than June thirtieth, nineteen hundred and ninety-six, and provided, however, that said John E. MacLeod is otherwise eligible to retire for superannuation pursuant to the provisions of chapter thirty-two of the General Laws.

ARTICLE 13. A. To see if the District will vote to extend a ten inch (10") water main a distance of five hundred feet (500'), more or less, on Carlisle Road from North Street 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 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 13 (A), shall be deposited with the District Treasurer by

Northwest Structures, Inc., 411  
Massachusetts Avenue, P.O. Box 657, Acton,  
MA 01720. 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 14. To see if the District will vote to  
transfer from Surplus Revenue a certain  
sum of money to replace the existing water  
main with an 8" water main on Robbins  
Street, a distance of one hundred feet  
(100') more or less, together with  
necessary fittings, 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 replace the existing water  
main with an 8" water main on Charter Road  
approximately six hundred fifty feet  
(650') more or less, together with  
necessary fittings, and to renew six (6)  
house services, 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 extend a twelve inch (12")  
water main from existing water main on  
Great Road (Rte 2A) in Acton, a distance  
of about seven hundred feet (700') to the  
Acton/Littleton town line at Great Road  
(Rte 2A) and Nashoba Road, and to connect  
to the existing town of Littleton's water  
main, or to take any other action relative  
thereto.

ARTICLE 17. To see if the District will vote to  
authorize the Treasurer, with the approval  
of the Commissioners to transfer to the  
W.R. Grace settlement the following  
unexpended balance remaining after the  
completion of a project authorized by vote  
of the District, or to take any other  
action relative thereto.

A. Unexpended balance in the sum of  
\$54,380.00 for project completed under  
Article 20 of the Annual Meeting of  
March 16, 1994, which approved a

feasibility study of installing a permanent well on District property, formerly known as Grace Number 3 (#3) well.

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

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

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

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

A true copy ATTEST:

Anita E. Page  
*District Clerk*

# APPROPRIATIONS AND EXPENDITURES FOR FISCAL 1996

	1995 <u>Appro.</u>	1995 <u>6 Months</u>	1996 <u>Appro.</u>
Audit	12,500.00	12,500.00	12,500
Auto Maint. & Fuel	17,000.00	5,908.00	18,000
Backflow/Cross Conn.	6,000.00	.00	6,000
Bank Fees	2,400.00	77.93	1,200
Bonds, Interest, Fees	382,925.00	52,962.50	346,250
Chemicals	30,000.00	15,777.06	40,000
D.E.P. Withdrawal	.00	.00	6,000
Education	4,000.00	1,768.02	5,500
Engineering	10,000.00	.00	10,000
Equipment Rental	3,000.00	.00	3,000
Health & Life Insurance	97,000.00	51,735.06	98,900
Insurance	56,000.00	22,751.95	50,000
Laboratory Analysis	10,000.00	1,567.00	10,000
Legal & Accounting	18,000.00	6,257.85	80,000
Lights, Power & Fuel	100,000.00	52,446.97	110,000
Maintenance & Operations	80,000.00	39,743.38	80,000
Middlesex County Retire.	53,000.00	41,106.50	52,688
Meters	19,000.00	9,287.22	20,000
Office Supplies	13,000.00	564.64	12,000
Permanent Paving	6,000.00	4,939.90	6,000
Petty Cash/Miscellaneous	1,375.00	.00	1,200
Postage	9,800.00	3,163.00	10,000
Salaries & Wages	470,000.09	239,479.64	493,500
Telephone	10,000.00	5,091.12	15,000
Water Words	1,500.00	.00	1,500
Reserve Fund	<u>30,000.00</u>	<u>.00</u>	<u>30,000</u>

TOTAL	1,442,500.00	567,128.28	1,459,238.
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	Budgeted <u>Receipts</u>	6 Months <u>Receipts</u>	Budgeted <u>Receipts</u>
Water Rates	1,300,000.00	733,909.87	1,304,000.
Sprinklers	14,000.00	12,902.51	14,125.
New Installations & Repairs	90,000.00	96,692.33	100,754.
Rent/Lease	32,500.00	14,625.95	34,359.
Cross Connection & Backflow	<u>6,000.00</u>	<u>881.28</u>	<u>6,000.</u>
Totals:	1,442,500.00	859,011.94	1,459,238.

WATER SUPPLY DISTRICT OF ACTON  
AMORTIZATION SCHEDULE - BONDS AND INTEREST

		FY 95 1994-1995	FY 96 1995-1996	FY 97 1996-1997	FY 98 1997-1998	FY 99 1998-1999	FY 2000 1999-2000	FY 2001 2000-2001
Original	Balance	Principal	Principal	Principal	Principal	Principal	Principal	Principal
<u>Amount</u>	<u>06/30/94</u>	<u>Interest</u>	<u>Interest</u>	<u>Interest</u>	<u>Interest</u>	<u>Interest</u>	<u>Interest</u>	<u>Interest</u>
r Bonds								
95,000.00	145,000.00	50,000.00	50,000.00	45,000.00				
		10,875.00	7,125.00	3,375.00				
r Bonds								
25,000.00	200,000.00	50,000.00	50,000.00	50,000.00	50,000.00			
		12,800.00	9,600.00	6,400.00	3,200.00			
Walsh rvoir								
00,000.00	1,225,000.00	175,000.00	175,000.00	175,000.00	175,000.00	175,000.00	175,000.00	175,000.00
		<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>11,812.00</u>
LS								
20,000.00	1,570,000.00	380,925.00	362,250.00	338,575.00	275,275.00	210,350.00	198,625.00	186,812.50
cy Fees		<u>2,000.00</u>	<u>1,500.00</u>					
		382,925.00	363,750.00					

	1993	1993	1994	1994
	<u>Appro.</u>	<u>Expend.</u>	<u>Appro.</u>	<u>Expend.</u>
Salaries & Wages.....	\$415,000.00	\$415,000.00	\$445,000.00	\$443,591.49
Health & Life Insurance..	85,000.00	82,194.97	93,500.00	72,972.42
Mdx. County Retirement...	51,500.00	49,571.00	54,285.00	51,355.00
Educational Expense.....	4,000.00	3,676.93	4,000.00	3,788.41
Maintenance & Operation..	75,000.00	75,000.00	75,000.00	76,931.47
Meters.....	14,000.00	14,000.00	16,000.00	13,700.30
Auto & Equipment.....	17,000.00	16,043.79	17,000.00	16,402.35
Fuel.....	6,000.00	5,930.00	6,000.00	7,469.83
Equipment Rental.....	2,000.00	2,000.00	2,000.00	4,400.00
Permanent Paving.....	5,000.00	5,000.00	6,000.00	3,771.88
Chemicals.....	25,000.00	25,000.00	20,000.00	21,277.25
Lights, Power, Telephone.	80,000.00	78,585.87	80,000.00	88,707.77
Laboratory Analysis.....	7,500.00	7,274.95	10,000.00	4,772.98
Insurance/Domestic.....	48,500.00	45,932.03	52,000.00	38,016.95
Office Supplies.....	10,000.00	10,000.00	9,000.00	8,891.52
Postage.....	7,500.00	7,495.00	8,200.00	7,284.12
Audit.....	11,500.00	11,500.00	12,500.00	12,480.00
Legal & Accounting.....	12,000.00	12,000.00	12,000.00	15,303.70
Water Works Notice.....	1,500.00	.00	1,500.00	1,152.00
Cross Connection Program.	12,000.00	3,953.00	10,000.00	3,954.86
Petty Cash.....	960.00	698.76	960.00	956.21
Miscellaneous.....	1,000.00	995.97	400.00	355.24
Engineering.....	10,000.00	7,014.91	8,500.00	7,061.77
Survey New Water.....	.00	.00	.00	.00
Bonds & Interest.....	522,855.00	520,552.80	456,475.00	454,775.00
Bank Fees.....			2,400.00	2,289.93
Reserve Fund.....	<u>30,000.00</u>	<u>19,168.40</u>	<u>30,000.00</u>	<u>(19,254.85)</u>
	1,454,215.00	1,417,993.33	1,432,720.00	1,361,662.45

	Budgeted	Actual	Budgeted	Actual
	<u>Receipts</u>	<u>Receipts</u>	<u>Receipts</u>	<u>Receipts</u>
Hydrants.....	.00	.00	.00	.00
Water Rates.....	1,355,515.00	1,398,082.24	1,302,270.00	1,461,468.64
Sprinklers.....	14,000.00	13,778.54	13,750.00	16,387.05
New Installations/Repairs	56,000.00	203,775.58	90,000.00	314,055.27
Rent/Lease Income....	16,700.00	19,882.35	16,700.00	28,962.34
Cross Connection.....	<u>12,000.00</u>	<u>7,625.25</u>	<u>10,000.00</u>	<u>7,282.47</u>
	1,454,215.00	1,643,144.01	1,432,720.00	1,828,155.47

REPORT OF THE TREASURER  
ACCOUNT BALANCES  
JUNE 30, 1994

<b>FLEET BANK</b>		
Balance July 1, 1993		34,985.15
Interest Earned		1,791.81
Deposits	1,847,799.13	
Warrants	1,623,411.25	
Transfers	390,000.00	
Deposits from MMDT	<u>225,000.00</u>	
Balance June 30, 1994		96,164.84
<b>SHAWMUT I</b>		
Balance July 1, 1993		95,938.70
Interest Earned		<u>2,351.24</u>
Balance June 30, 1994		98,289.94
<b>SHAWMUT II</b>		
Balance July 1, 1993		83,508.27
Interest		<u>1,530.59</u>
June 30, 1994		85,038.86
<b>MMDT I</b>		
Balance July 1, 1993		721,137.29
Interest Earned		26,722.46
Deposits from Fleet	390,000.00	
Transfers to Fleet	<u>225,000.00</u>	
Balance June 30, 1994		912,859.75
<b>MMDT II: WELL &amp; TANK</b>		
Balance July 1, 1993		41,465.59
Closed to Fleet		<u>41,465.59</u>
Balance June 30, 1994		.00
<b>MMDT III: HARRIS ST./UPGRADE SERVICES</b>		
Balance July 1, 1993		75,528.35
Interest Earned		531.28
Closed to Fleet		-6,315.31
Warrants		<u>69,744.32</u>
Balance June 30, 1994		.00
<b>MIDDLESEX BANK:</b>		
Balance July 1, 1993		78,666.51
Interest Earned		<u>2,392.69</u>
Balance June 30, 1994		81,059.20
<b>CAMBRIDGE TRUST:</b>		
Balance July 1, 1993		73,097.57
Interest Earned		<u>1,813.52</u>
Balance June 30, 1994		74,911.09

# REPORT OF THE COLLECTOR

JUNE 30, 1994

Outstanding June 30, 1993	48,310.62
Charges	1,824,917.77
Interest Charged	5,963.44
Refunds	<u>856.62</u>
TOTAL	1,880,048.45

Payments	1,828,155.47
Abatements	5,406.40
Adjustments	2,571.54
Outstanding June 30, 1994	<u>43,915.04</u>
TOTAL	1,880,048.45

## Charges

Water Rates and Services for Fiscal 1992	1,867,626.53
Water Rates and Services for Fiscal 1993	1,628,590.62
Water Rates and Services for Fiscal 1994	1,824,917.77

The increase in Water Rates and Services for Fiscal 1994 is due to demand fee income from new home construction in the town. The water charges revenue remains level as a result of water conservation and the odd and even water use By-Law as approved by the voters on March 16, 1994.

Respectfully submitted:

Linda M. Larson  
Treasurer & Collector



## REPORT OF THE COMMISSIONERS FOR 1994

The Commissioners are pleased to make the following report for fiscal year 1994 to the residents of the Acton Water District.

During the past 12 months the District has continued to improve and modernize its distribution system, which supplies water to approximately 6,100 residential homes and businesses within the Town of Acton. The source of this supply is a network of ten wells situated on the most productive aquifer regions within the Town's boundaries, the collective capacity of which is in excess of 4 million gallons per day. Seven of these wells are connected to treatment facilities designed to eliminate trace amounts of chemical contamination. To reduce diurnal fluctuations in pressure and provide a reserve capacity in the event of fire, water main breaks, or other emergencies, the District also operates four storage tanks with a total capacity of 8.5 million gallons. The locations of these facilities are shown in Figure 1.

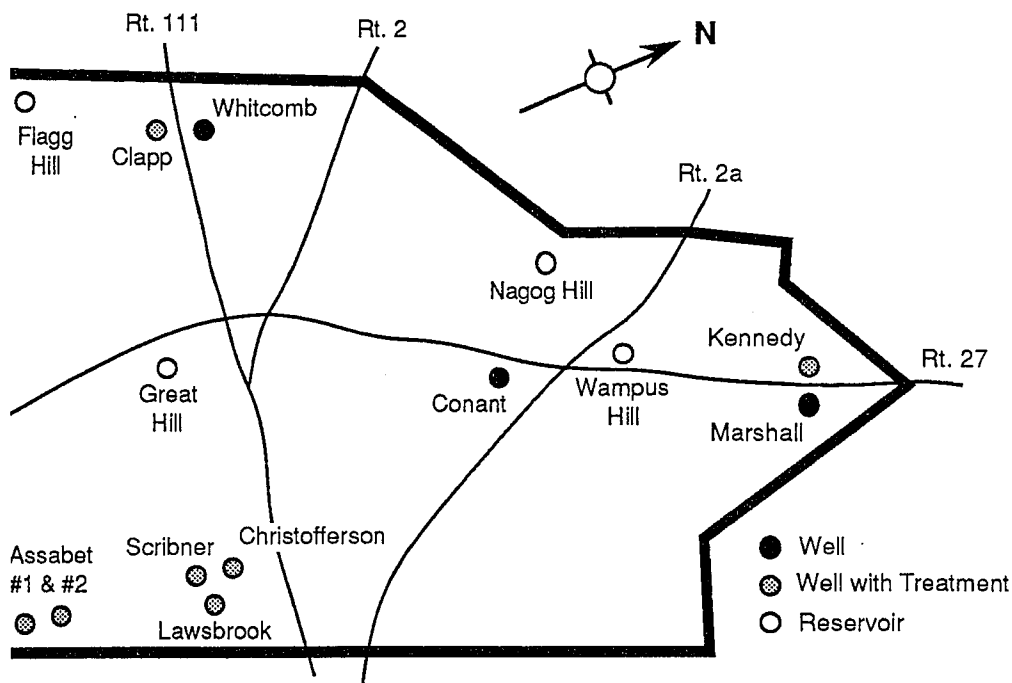


Figure 1. Water source map for the Acton Water District.

The maintenance of a distributed network is a complex problem, particularly during periods of drought when the withdrawal from the individual aquifers must be carefully balanced to avoid well damage. Six of the wells are currently equipped with emergency generators to ensure uninterrupted service, although most of these systems require manual startup. The District is also considering the purchase of a data telemetry system that would permit the entire system to be remotely monitored and controlled from a central location.

Over the past decade the business of the District has become increasingly more complex and equipment intensive. In an effort to provide a more efficient working environment that would accommodate these needs, a contract was awarded to the Carell Group Architects in the fall of 1993 for a new 2,600 square foot headquarters building. Although the design of this structure has been accepted by the Commissioners and the funds were approved by vote of the 1993 Annual District Meeting, construction has been delayed as a result of unexpectedly high subcontractor bids. The Commissioners are currently searching for a mechanism to reduce these costs; as a result, construction is not expected to begin until the spring of 1995.

The Commissioners have been responsive to the Town's desire to minimize operational costs and, as Figure 2 indicates, the District has maintained a level budget for the past five years. This current rate of expenditure translates into an average yearly bill of about \$250 per family. It is worth noting that capital costs associated with the construction and maintenance of water treatment facilities are not billed to water users, but rather are funded by dividends accrued from the W. R. Grace account. To ensure that a favorable rate of return will be maintained in the future, the portfolio management contract was rebid in the fall of 1993. Boston Security Counsellors, Inc. was subsequently chosen from a field of five candidates to manage this investment.

In the coming year the District will face a number of complex issues, the most important of which relates to water withdrawal limitations that have been recommended by the Department of Environmental Protection (DEP). As shown in Figure 3, the District has been very careful to develop new resources that provide an acceptable margin of safety, even under low water table conditions. Future well sites, which include Assabet #3, Kennedy #2, Conant #2, and Flannery/O'Toole are already under development and are included in the 25-year growth projections. Citing arguments that appear to be based on conservation goals that are unnecessarily strict for this region of the country, the DEP has issued a recommendation to Environmental Protection Agency (EPA) to limit the Acton's average withdrawal in 1995 to 1.76 million gallons per day; this number is actually lower than the amount pumped in 1994. If this restriction is ultimately imposed by the EPA, the District could be forced to place a moratorium on new water services. The Commissioners believe that these artificial limitations are without merit and that Acton's average daily usage profile, as described in Figure 4, is not excessive. The DEP has been notified of the District's opposition to these proposed regulations.

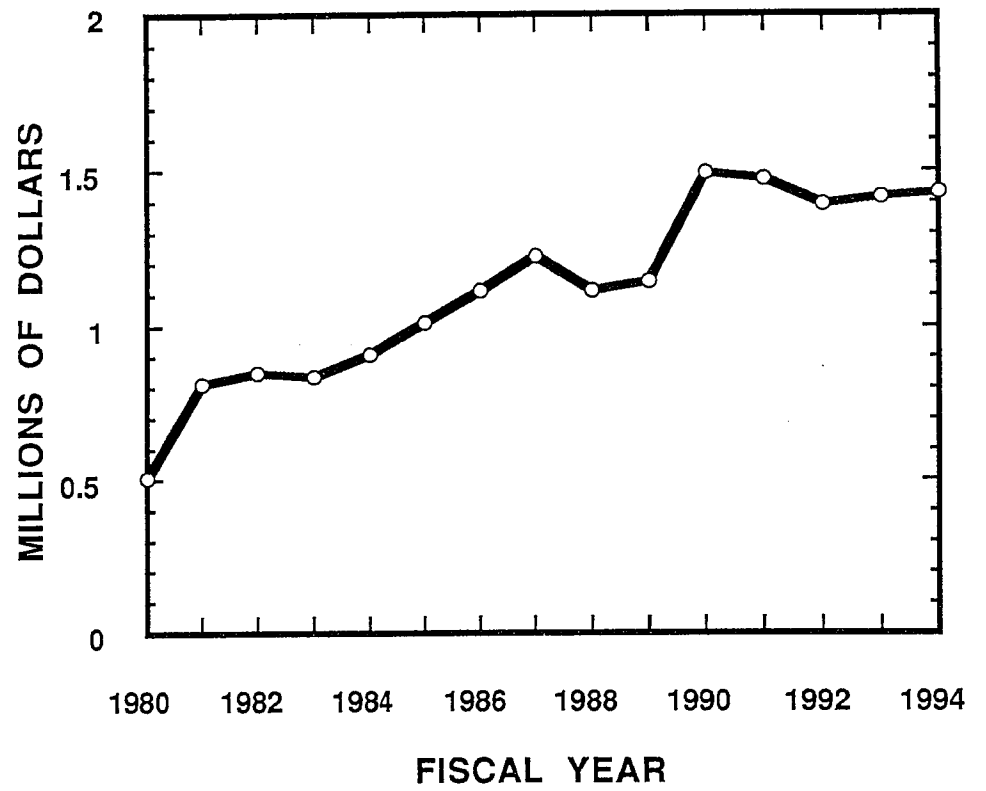


Figure 2. The Water District's budget for the last 15 years.

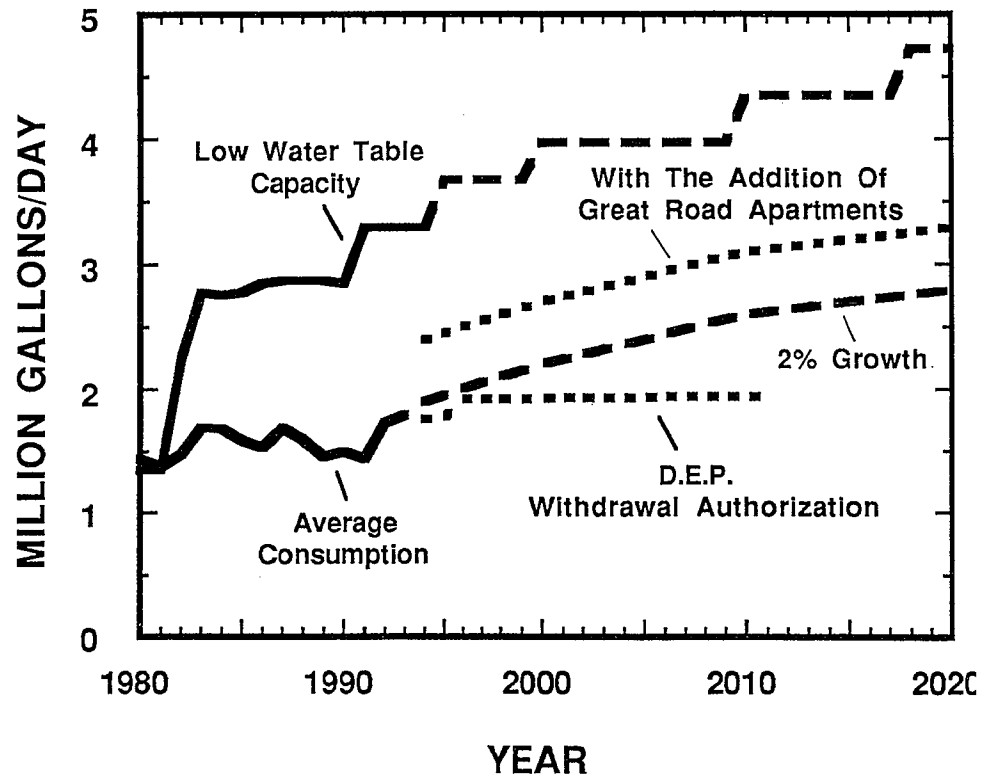
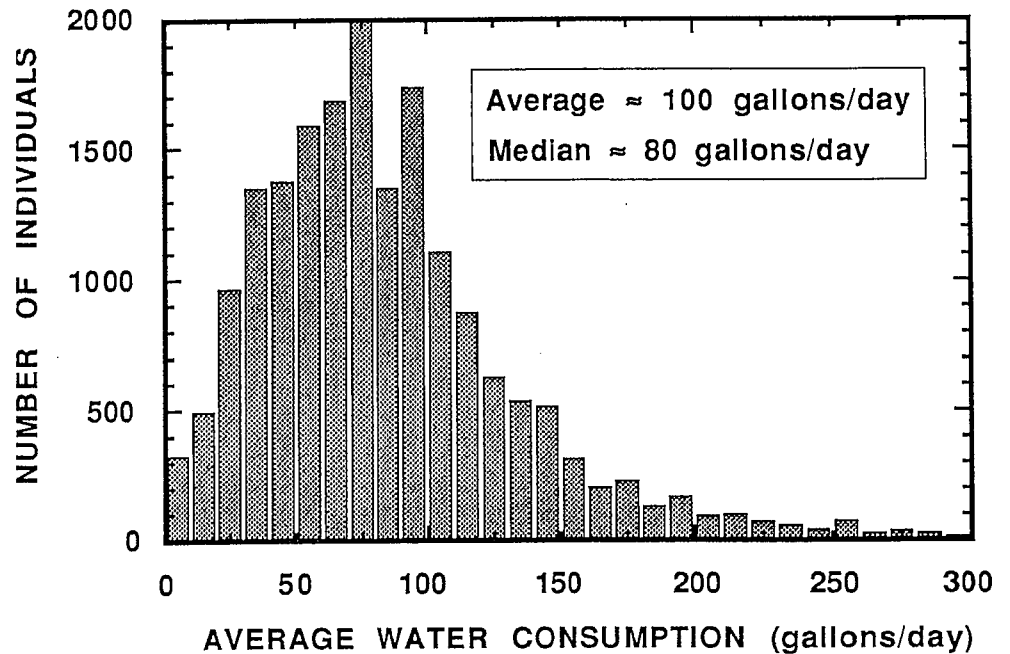


Figure 3. Comparison of the projected consumption and supply capacity for low water table conditions. Also shown is the predicted consumption in the event that the District is required to service the apartments on Great Road, which are currently connected to private wells. The current DEP withdrawal authorization is well below all of the District's demand projections.



*Figure 4. Distribution of the average per-person daily water consumption. Both residential and industrial users have been included in this calculation.*

The Commissioners wish to thank the District Manager, John MacLeod, the Superintendent, Carleton Troupe, and all of the District staff for their outstanding performance. The services of the Treasurer/Collector Linda Larson and the Commissioner's secretary Jane Cutler are also gratefully acknowledged. The Finance Committee is congratulated for their excellent job in managing the District's accounts and controlling expenditures.

Special recognition is made this year of the contributions of John W. Putnam, who, after 11 years of faithful service, has retired as moderator of the Acton Water District.

Respectfully submitted

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

Revenues from continuing new home construction and associated demand for installation of connections to Town water substantially increased the Free Cash account during the fiscal year. On 30 August 1994 the Free Cash account was certified at \$832,369. Money from free cash was used to fund all articles presented at the Special District Meeting of 28 September 1994. The Free Cash account is such that the Finance Committee does not foresee any increase in water rates during the next fiscal year.

At the original bid opening for the new AWD office building on 18 May 1994, the estimated cost exceeded the appropriation. The specifications were revised, additional money was appropriated, and the building was rebid. The bid opening on 21 September 1994 also provided lower estimated costs for the new building. Currently a private contractor is planned to oversee construction scheduled now to begin in the spring of 1995.

Gardner and Preston Moss had been investment managers for the Grace Fund until state regulations compelled a competitive bid for a new manager. Boston Security Counsellors, Inc., was selected as a result of this bid process. The Commissioners and the Finance Committee are considering revision of our investment policy to invest a portion of the Grace Fund to emphasize long term needs while using the remainder of the Grace Fund investment to support on-going water purification activities.

We appreciate the continuing commitment of the District staff. In particular the extra effort and dedication brought by Linda M. Larson and the District's attorney and moderator, Charles E. Orcutt Jr., provided essential support during the change over in Grace Fund managers, and the review of continuing costs and complexities of the new building.

Most especially, we would like to express our special appreciation and gratitude for the devoted service of the retiring District Manager John "Jock" MacLeod, Jock has loyally and with great skill supported the Acton Water District since he joined in April, 1965. He is directly responsible for the continuing success of the District. He will strongly be missed.

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

# REPORT OF THE DISTRICT MANAGER

The following report covers the activities of the District for 1994.

New house installations	82
Old service lines replaced or renewed	35
Old meters replaced with new meters	141
Repair of damaged hydrants	7
Repair of water main and service breaks	13
Replacement of old fire hydrants	9

New Water Mains Installed in 1994:

Beechnut Street	Shady Lane	Overlook Drive
Perkins Lane	Woodfield Road	MacGregor Lane
Winding Wood Road		

Total gallons pumped in 1994: 545,807,000

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.

We applied for an additional 500,000 gallons more per day, which the Department of Environmental Protection (D.E.P.) has approved, however, it extends to the year 2014. We have also applied for a hearing with D.E.P. hoping we can get the amount asked for. The Water District can always reapply annually for a larger withdrawal, but it is a long and expensive process. (Please read the Conservation Report in this Annual Report.)

The Water Supply District has completed installing an emergency back-up generator at the Kennedy Well in North Acton, which helps our pumping capacities during power failures, or during normal electrical problems.

The Water Supply District is also working with the Department of Environmental Protection (D.E.P.) on nitrogen loading, which is a waste from sewerage treatment plants and septic systems. Nitrate and nitrites are the main products that we are concerned about, as they can cause health problems for pregnant women, as well as infants. We are also discussing these concerns with the Acton Board of Health.

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. Call either your state Representative., or Senator, for proper labeling.

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. All employees must be licensed by July 1, 1995.

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.

The Water Supply District is a member of the Merrimack Valley Consortium Association. This enables us to purchase chemicals and other products needed to provide a high quality of water at a great savings. There are about forty (40) communities in this association.

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 the water supply in the Commonwealth. The Ground Water Protection Committee is also working on setting higher standards for bottled and public drinking water.

I am also working with several local communities concerning our water supply problems, in an attempt to determine measures that we can all take to make our departments more efficient and our environment safer.

We have added many new computer programs to our operations at the District, which help us with our overall procedures. We have also added automated equipment, which allows us to run our wells through the phone lines. This is an excellent energy cost savings to the District.

I want to thank the Board of Selectmen, Town Manager, Planning Board, Board of Health, the Conservation Commissioners, Conservation Director, and all the Town Departments. In addition, I would like to thank D.E.P., E.P.A., U.S. State Senator, Robert Durand, State Representative, Pam Resor, the citizens of Acton, and everyone else that assisted me with protecting our drinking water. And those who have been so supportive in helping me solve our problems in supplying a high quality of drinking water to the residents of Acton.

I would like to take this opportunity to express my sincere appreciation to Anita Page who will be stepping down, as District Clerk, March 1995, after twenty (20) years of devoted service to the Water District. Anita, thank you very much.

There is a possibility that this very well could be my last year as District Manager, of the Water Supply District of Acton. Therefore, I would personally like to thank my past Commissioners, Finance Committee, and past employees. Also, present Commissioners, Finance Committee, District Council, Secretary to Commissioners, and most of all to my present staff, many thanks.

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 aquifer. 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

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JUNE 30, 1994

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

Supplemental Schedule of W.R. Grace Fiduciary Fund  
Activity - Statutory Basis

Independent Auditor's Report

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

We have audited the financial statements of the Water Supply District of Acton as of and for the year ended June 30, 1994, 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, 1994, or the results of its operations or the changes in its fund balances 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, 1994, 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 Schedules of Capital Projects Fund Activity and W.R. Grace Fiduciary Fund Activity are presented for purposes of additional analysis and are 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  
Concord, Massachusetts  
July 27, 1994

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, 1994

	GOVERNMENTAL FUND TYPES		FIDUCIARY FUND TYPE	ACCOUNT GROUP	TOTAL
	GENERAL FUND	CAPITAL PROJECTS	W.R. GRACE FUND	GENERAL LONG TERM DEBT	(MEMORANDUM ONLY)
<b>ASSETS</b>					
CASH	\$1,348,324	-	\$121,337	-	\$1,469,661
INVESTMENTS	-	-	2,022,165	-	2,022,165
ACCOUNTS RECEIVABLE	43,915	-	-	-	43,915
LESS RESERVE FOR	-	-	-	-	-
UNCOLLECTIBLE RECEIVABLES	(43,915)	-	-	-	(43,915)
DUE FROM GENERAL FUND	-	\$515,955	-	-	515,955
AMOUNT TO BE PROVIDED FOR	-	-	-	-	-
LONG TERM DEBT	-	-	-	\$1,570,000	1,570,000
	-----	-----	-----	-----	-----
<b>TOTAL ASSETS</b>	<b>\$1,348,324</b>	<b>\$515,955</b>	<b>\$2,143,502</b>	<b>\$1,570,000</b>	<b>\$5,577,781</b>
	=====	=====	=====	=====	=====
<b>LIABILITIES AND FUND BALANCES</b>					
<b>LIABILITIES</b>					
LONG TERM DEBT	-	-	-	\$1,570,000	\$1,570,000
DUE TO CAPITAL PROJECTS FUND	\$515,955	-	-	-	515,955
	-----	-----	-----	-----	-----
<b>TOTAL LIABILITIES</b>	<b>515,955</b>	<b>0</b>	<b>0</b>	<b>1,570,000</b>	<b>2,085,955</b>
	-----	-----	-----	-----	-----
<b>FUND BALANCES</b>					
UNRESERVED	832,369	-	-	-	832,369
RESERVED FOR CAPITAL PROJECTS	-	\$515,955	-	-	515,955
RESERVED FOR W.R. GRACE	-	-	\$2,143,502	-	2,143,502
	-----	-----	-----	-----	-----
<b>TOTAL FUND BALANCES</b>	<b>832,369</b>	<b>515,955</b>	<b>2,143,502</b>	<b>0</b>	<b>3,491,826</b>
	-----	-----	-----	-----	-----
<b>TOTAL LIABILITIES AND</b>					
<b>FUND BALANCES</b>	<b>\$1,348,324</b>	<b>\$515,955</b>	<b>\$2,143,502</b>	<b>\$1,570,000</b>	<b>\$5,577,781</b>
	=====	=====	=====	=====	=====

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, 1994

	ACTUAL	BUDGET	VARIANCE FAVORABLE (UNFAVORABLE)
REVENUES			
WATER RATES AND SERVICES	\$1,825,946	\$1,432,720	\$393,226
INTEREST INCOME	37,237	—	37,237
TOTAL REVENUES	1,863,183	1,432,720	430,463
EXPENDITURES			
MATURING DEBT & INTEREST	454,775	456,475	1,700
SALARIES & WAGES	443,591	445,000	1,409
LIGHTS, POWER, & PHONE	80,000	80,000	0
MAINTENANCE & OPERATIONS	75,000	75,000	0
HEALTH & LIFE INSURANCE	72,972	93,500	20,528
MIDDLESEX RETIREMENT	51,355	54,285	2,930
INSURANCE	38,017	52,000	13,983
CHEMICALS	20,000	20,000	0
RESERVE FUND	19,255	30,000	10,745
AUTO & EQUIPMENT EXPENSE	16,402	17,000	598
METERS	13,700	16,000	2,300
AUDIT	12,480	12,500	20
LEGAL	12,000	12,000	0
OFFICE SUPPLIES	8,892	9,000	108
POSTAGE	7,284	8,200	916
ENGINEERING	7,062	8,500	1,438
FUEL	5,835	6,000	165
LABORATORY ANALYSIS	4,773	10,000	5,227
CROSS CONNECTION	3,955	10,000	6,045
EDUCATION EXPENSE	3,788	4,000	212
PERMANENT PAVING	3,772	6,000	2,228
BANK FEES	2,290	2,400	110
EQUIPMENT RENT	2,000	2,000	0
WATER WORKS NOTICE	1,152	1,500	348
PETTY CASH	956	960	4
MISCELLANEOUS	355	400	45
TOTAL EXPENDITURES	1,361,661	1,432,720	71,059
REVENUES OVER EXPENDITURES	501,522	0	501,522
NET TRANSFERS BETWEEN GENERAL FUND AND CAPITAL PROJECTS FUND	(271,001)	(271,001)	0
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES AND NET TRANSFERS	230,521	(271,001)	501,522
FUND BALANCE -- BEGINNING OF YEAR	601,848	601,848	0
FUND BALANCE -- END OF YEAR	\$832,369	\$330,847	\$501,522

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, 1994

	GENERAL FUND	CAPITAL PROJECTS	TOTAL (MEMO ONLY)
REVENUES			
WATER RATES AND SERVICES	\$1,825,946	-	\$1,825,946
INTEREST INCOME	37,237	-	37,237
TOTAL REVENUES	1,863,183	0	1,863,183
EXPENDITURES			
MATURING DEBT & INTEREST	454,775	-	454,775
SALARIES & WAGES	443,591	-	443,591
CAPITAL PROJECT EXPENDITURES	-	\$316,058	316,058
LIGHTS, POWER, & PHONE	80,000	-	80,000
MAINTENANCE & OPERATIONS	75,000	-	75,000
HEALTH & LIFE INSURANCE	72,972	-	72,972
MIDDLESEX RETIREMENT	51,355	-	51,355
INSURANCE	38,017	-	38,017
CHEMICALS	20,000	-	20,000
RESERVE FUND	19,255	-	19,255
AUTO & EQUIPMENT EXPENSE	16,402	-	16,402
METERS	13,700	-	13,700
AUDIT	12,480	-	12,480
LEGAL	12,000	-	12,000
OFFICE SUPPLIES	8,892	-	8,892
POSTAGE	7,284	-	7,284
ENGINEERING	7,062	-	7,062
FUEL	5,835	-	5,835
LABORATORY ANALYSIS	4,773	-	4,773
CROSS CONNECTION	3,955	-	3,955
EDUCATION EXPENSE	3,788	-	3,788
PERMANENT PAVING	3,772	-	3,772
BANK FEES	2,290	-	2,290
EQUIPMENT RENT	2,000	-	2,000
WATER WORKS NOTICE	1,152	-	1,152
PETTY CASH	956	-	956
MISCELLANEOUS	355	-	355
TOTAL EXPENDITURES	1,361,661	316,058	1,677,719
REVENUES OVER (UNDER) EXPENDITURES	501,522	(316,058)	185,464
NET TRANSFERS BETWEEN GENERAL FUND AND CAPITAL PROJECTS FUNDS	(271,001)	271,001	0
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES AND NET TRANSFERS	230,521	(45,057)	185,464
FUND BALANCE - BEGINNING OF YEAR	601,848	561,012	561,012
FUND BALANCE - END OF YEAR	\$832,369	\$515,955	\$746,476
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, 1994

	W.R. GRACE FUND
REVENUES	
DIVIDEND & INTEREST INCOME	\$126,711
EXPENDITURES	
MAINTENANCE & OPERATIONS	106,063
GRACE #3 STUDY	1,096
INVESTMENT MANAGEMENT FEES	9,679
NET LOSS ON INVESTMENTS	135,970
TOTAL EXPENDITURES	252,808
REVENUES UNDER EXPENDITURES	(126,097)
FUND BALANCE – BEGINNING OF YEAR	2,269,599
FUND BALANCE – END OF YEAR	\$2,143,502

SEE ACCOMPANYING NOTES TO THE FINANCIAL STATEMENTS.

SCHEID & MARA, P.C.  
 CERTIFIED PUBLIC ACCOUNTANTS

WATER SUPPLY DISTRICT OF ACTON  
NOTES TO THE FINANCIAL STATEMENTS  
JUNE 30, 1994

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, 1994

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 and the W.R. Grace Fiduciary Fund are also approved at the Annual Meeting. Any budget overrides must be approved at a specially called District Meeting.

SCHEID & MARA, P.C.  
CERTIFIED PUBLIC ACCOUNTANTS

5. 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 - INVESTMENTS

The W.R. Grace Fund includes investments which are managed by the firm Boston Security Counsellors, Inc. The investment are carried at their lower of cost or market. The cost, carrying value, and approximate market value at June 30, 1994 are:

Investments, at cost	\$2,150,159
Valuation allowance	<u>(127,994)</u>
Market and carrying value	<u>\$2,022,165</u>

Net loss on investments reported in the Statement of Revenues, Expenditures and Changes in Fund Balance - Fiduciary Fund Type - Statutory Basis consists of \$127,994 of net unrealized loss and \$7,976 of net realized loss.

SCHEID & MARA, P.C.  
CERTIFIED PUBLIC ACCOUNTANTS

WATER SUPPLY DISTRICT OF ACTON  
NOTES TO THE FINANCIAL STATEMENTS  
JUNE 30, 1994

NOTE 4 - INTERFUND RECEIVABLE AND PAYABLES

At June 30, 1994, \$515,955 is due to the Capital Projects Fund from the General Fund.

NOTE 5 - GENERAL LONG-TERM DEBT

General Long-Term Debt consists of the following obligations at June 30, 1994:

Description	Original Amount	Interest Rate	Date of Issue	Date of Maturity	Balance 6/30/94
Water Mains	\$595,000	7.50%	06/01/85	06/01/97	\$145,000
Water Mains	625,000	6.39%	08/15/86	02/15/98	200,000
Walsh Rsvr	<u>2,100,000</u>	6.70%	06/01/89	06/01/01	<u>1,225,000</u>
Total	<u>\$3,320,000</u>				<u>\$1,570,000</u>

During the year ended June 30, 1994, \$325,000 of principal and \$129,775 of interest were paid on the bonds. The total of these amounts, \$454,775, 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, 1994 are as follows:

Fiscal Year Ended June 30,	
1995	\$275,000
1996	275,000
1997	270,000
1998	225,000
1999	175,000
2000	175,000
2001	<u>175,000</u>
Total	<u>\$1,570,000</u>

SCHEID & MARA, P.C.  
CERTIFIED PUBLIC ACCOUNTANTS

WATER SUPPLY DISTRICT OF ACTON  
NOTES TO THE FINANCIAL STATEMENTS  
JUNE 30, 1994

NOTE 6 - 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, 1994, were \$51,355.

NOTE 7 - COMMITMENTS

The District has entered into certain contracts for the design of an office building, for the upgrading of water services to existing homes, and for improvements to existing water lines.

CONCLUDED.

WATER SUPPLY DISTRICT OF ACTON  
SUPPLEMENTAL SCHEDULE OF CAPITAL PROJECTS FUND ACTIVITY -- STATUTORY BASIS  
FOR THE YEAR ENDED JUNE 30, 1994

	BEGINNING BALANCE 6/30/93	TRANSFERS FROM GENERAL FUND	TRANSFERS TO GENERAL FUND	PAYMENTS MADE	ENDING BALANCE 6/30/94
WASSABET WELL TREATMENT	\$20,000	-	-	\$20,000	\$0
WACKHOE 94	-	\$33,972	-	33,972	0
WAK 94	-	10,534	-	10,493	41
WALAPP WELL AQUIFER	535	-	-	204	331
WALAPP/WHITCOMB COLOR	7,739	-	-	5,645	2,094
WALAN WELLS 94	-	30,000	-	21,967	8,033
WAMPUTER ELECTRICAL EQUIPMENT	7,281	-	-	6,968	313
WAMPUTER PROGRAMS 94	-	8,500	-	2,150	6,350
WAMOUNT LAND	2,282	-	-	2,269	13
WAMCONSULTING 93	4,020	-	-	4,020	0
WAMCROSS CONNECTION	16,358	-	-	-	16,358
WAMREP FEES 94	-	6,000	-	-	6,000
WAMETHAN ALLEN CEMENT REPAIRS	2,000	-	-	-	2,000
WAMETHAN ALLEN UTILITY BLDG	2,951	-	\$2,421	530	0
WAMGENERATOR KENNEDY 94	-	60,000	-	9,275	50,725
WAMHARLAN GARAGE	5,582	-	-	5,525	57
WAMHARRIS STREET EXTENSION	69,744	-	-	69,744	0
WAMLEAK DETECTION 94	-	10,000	-	-	10,000
WAMLEGAL / SURVEY NAGOG 94	-	15,000	-	1,464	13,536
WAMMAILING MACHINE 94	-	5,000	-	5,000	0
WAMMASTER PLAN 94	-	15,000	-	-	15,000
WAMNAGOG ALTITUDE VALVE	5,910	-	5,910	-	0
WAMOFFICE BUILDING 93	275,000	-	-	14,623	260,377
WAMPHONE/FURNITURE 94	-	25,000	-	-	25,000
WAMTICK UP TRUCK 93	1,382	-	-	1,382	0
WAMTICK-UP 94	-	9,756	-	9,751	5
WAMPROPANE TANKS	9,650	-	7,150	2,500	0
WAMPROTECTION PLAN 94	-	10,000	-	-	10,000
WAMROBBINS ST 93	46,972	-	-	26,695	20,277
WAMSALARY & WAGES OVERTIME	8,294	-	-	-	8,294
WAMSEPTAGE LAGOONS MONITORING	1,347	-	-	-	1,347
WAMSOFTWARE 93	2,550	-	-	2,550	0
WAMTANK INTERIOR INSPECTIONS	2,650	-	-	-	2,650
WAMTELEMETERING 93	10,000	-	-	-	10,000
WAMUPDATE SERVICES 93	50,000	-	-	50,000	0
WAMUPDATE SERVICES 94	-	50,000	-	9,111	40,889
WAMUTILITY TRUCK 93	2,500	-	2,280	220	0
WAMWHITCOMB POWER UPDATE	972	-	-	-	972
WAMWHITCOMB WELL STUDY	5,293	-	-	-	5,293
	\$561,012	\$288,762	\$17,761	\$316,058	\$515,955
	=====	=====	=====	=====	=====

SCHEID & MARA, P.C.  
CERTIFIED PUBLIC ACCOUNTANTS

WATER SUPPLY DISTRICT OF ACTON  
SUPPLEMENTAL SCHEDULE OF W.R. GRACE FIDUCIARY FUND ACTIVITY – STATUTORY BASIS  
FOR THE YEAR ENDED JUNE 30, 1994

	BEGINNING BALANCE 6/30/93	APPROPRIA- TIONS PER ANNUAL MEETING	REVENUES UNDER EXPENDI- TURES	ENDING BALANCE 6/30/94
MAINTENANCE & OPERATIONS	\$96,490	\$60,000	(\$106,063)	\$50,427
AIR STRIPPER	23,474	—	—	23,474
GRACE #3 STUDY	—	60,000	(1,096)	58,904
UNAPPROPRIATED	2,149,635	(120,000)	(18,938)	2,010,697
	-----	-----	-----	-----
	\$2,269,599	\$0	(\$126,097)	\$2,143,502
	=====	=====	=====	=====

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 16, 1994 at 7:30 PM

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

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

(Unanimous)

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

(Unanimous)

ARTICLE 3. VOTED: That the District authorize the Treasurer, with the approval of the Commissioners, to borrow in anticipation of the revenue for the fiscal year beginning July 1, 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 General Laws, Chapter 44, Section 17.

(Unanimous)

ARTICLE 4.

VOTED: To appropriate from estimated receipts of the District the sum of \$1,442,500.00 for the maintenance and operation of the District, and specific appropriations as follows:

APPROPRIATIONS AND EXPENDITURES FOR 1994-1995

Audit	\$ 12,500.00
Auto Maintenance & Fuel	17,000.00
BackFlow/Cross Connection	6,000.00
Bank Fees	2,400.00
Bonds, Interest, Fees	382,925.00
Chemicals	30,000.00
Education	4,000.00
Engineering	10,000.00
Equipment Rental	3,000.00
Health & Life Insurance	97,000.00
Insurance	56,000.00
Laboratory Analysis	10,000.00
Legal & Accounting	18,000.00
Lights, Power & Fuel	100,000.00
Maintenance & Operations	80,000.00
Meters	19,000.00
Middlesex County Retirement	53,000.00
Office Supplies	13,000.00
Permanent Paving	6,000.00
Petty Cash/Miscellaneous	1,375.00
Postage	9,800.00
Reserve Fund	30,000.00
Salaries & Wages	470,000.00
Telephone	10,000.00
Water Works Notice	1,500.00
TOTAL	\$1,442,500.00

BUDGETED RECEIPTS FOR FISCAL 1995

Water Rates	\$1,300,000.00
Sprinklers	14,000.00
New Installations/Repairs	90,000.00
Rent/Lease	32,500.00
Cross Connection/Backflow	6,000.00
TOTAL	\$1,442,500.00

(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 \$60,000.00 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 Surplus Revenue Account the following unexpended balances remaining after the completion of projects previously authorized by vote of the District.

- 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.

(Unanimous)

ARTICLE 7.

VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue the sum of \$33,972.00 to purchase a new combination backhoe and loader, and to authorize the Commissioners to trade or sell the 1981 backhoe and loader.

(Unanimous)

ARTICLE 8.

VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue the sum of \$8,500.00 to purchase software and set up new computer programs for the District.

(Unanimous)

ARTICLE 9.

VOTED: That the District authorize the Commissioners 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.

(Unanimous)

ARTICLE 10.

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

(Unanimous)

ARTICLE 11.

VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue \$15,000.00 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.

(Unanimous)

ARTICLE 12.

VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue the sum of \$9,634.00 to purchase a new car and the sum of \$900.00 for a radio and lettering for a total of \$10,534.00, and to authorize the Commissioners to trade or sell the 1987 Dodge Omni.

(Unanimous)

ARTICLE 13.

VOTED: That the District transfer from Surplus Revenue the sum of \$8,756.00 to purchase a new 1/2 ton pick-up truck with side body and the sum of \$1,000.00 for a radio and lettering for a total of \$9,756.00 and to authorize the Commissioners to trade or sell the 1988 Chevrolet pick-up.

(Unanimous)

ARTICLE 14.

VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue \$60,000.00 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.

(Unanimous)

ARTICLE 15.

VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue \$30,000.00 to clean the various wells that provide water to the system in order to attain maximum pumping capacity.

(Unanimous)

ARTICLE 16.

VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue \$10,000.00 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.

(Unanimous)

ARTICLE 17.

VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue, \$25,000.00 to purchase office furniture, file cabinets, furnishings and accessories and phone system for the new District office building located off Massachusetts Avenue (Route 111).

(Unanimous)

ARTICLE 18.

VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue \$10,000.00 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.

(Unanimous)

ARTICLE 19.

VOTED: That the District authorize the Commissioners to transfer from the Surplus Reserve Account \$5,000.00 to purchase a mailing machine and electronic postal scale and to trade or sell the old postage machine.

(Majority)

ARTICLE 20.

VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue receipts a reserve for appropriation account (W.R. Grace Settlement), \$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 requirements of the Department of Environmental Protectional (D.E.P.), and Environmental Protection Agency, as set forth in the Safe Water Drinking Act.

(Unanimous)

ARTICLE 21.

VOTED: That the District authorize the Commissioners to purchase or take by eminent domain, or otherwise acquire, several permanent 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.

(Unanimous)

ARTICLE 22.

VOTED: That the District Authorize the Commissioners to submit to the Senate and House of Representative of the General Court enabling legislation in a form approved by District Counsel so as to permit an exchange of certain parcels of land between the Water Supply District of Acton and Brewster Conant and substantially described as follows:

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 the fee in a certain parcel of vacant land containing about 2.4 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 conveyed may not be improved with a dwelling or other building thereon but may be used for roadway and utilities serving Parcel 24 containing fifty-four acres, as shown on a plan recorded in Middlesex South District Deeds as Plan NO. 1083 of 1993. Reserving to the District a perpetual easement for the existing sixteen (16) inch water main from the storage tank to Nagog Hill Road; and further reserving also a temporary right of way currently in use by the District and located on, over and within the above described premises to be conveyed by the District.

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 the fee in a parcel of land containing about 24.1 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

ARTICLE 22. CONTINUED:

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.

(Unanimous)

ARTICLE 23.

VOTED: That the District authorize the Commissioners to convey by a suitable deed to Brewster Conant the fee interest in 2.4 acres of land described in Article 22, subject to the reservations and restrictions set forth in said Article 22, and to accept by a suitable deed the Conant land containing 24.1 acres as described 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, acknowledge and deliver any and all documents necessary and proper to implement the land exchange.

(Unanimous)

ARTICLE 24.

VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue \$15,000.00 to pay for a land survey, legal fees and real estate appraisal of a 2.4 acre parcel of District land off Nagog Hill Road, Acton.

(Unanimous)



- (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

- A. That the District 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 necessary fittings, and to transfer from any available source, or to borrow under Chapter 44 of the General Laws, as amended, the sum of \$8,900.00 for said purpose; and
- B. That the District instruct the Commissioners that prior to the commencement of any work and awarding of the bid that sum of \$8,900.00 to fund the extension approved as Article 25 (A), shall be deposited with the District Treasurer by Kavanaugh 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.

(Unanimous)

ARTICLE 26.

VOTED:

- A. That the District extend the eight (8) inch water main approximately six hundred (600) feet to Parker Street from existing water main at Parker Street and Carleton Drive in Acton, approximately 100' from the intersection of Parker and Adams Street, together with hydrants and necessary fittings, and to transfer from any available source, or to borrow under Chapter 44 of the General Laws, as amended the sum of \$60,000.00 for said purpose.
- B. That the District instruct the Commissioners prior to commencement of any work, and awarding of the bid, that a sum of \$60,000.00 to fund the extension 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 thereto.

(Majority 26/21)

RTICLE 27.

VOTED: That the District 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 future water main loop and emergency access to the water main improvements and pump station to be constructed by the District.

(Unanimous)

RTICLE 28.

VOTED: That the District amend the By-Laws by adding Section XVIII to read as follows:

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.

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.

(Unanimous)

Adjourned: 9:04 PM

Water Supply District of Acton

A true copy,

Attest:

Anita E. Page, Clerk

March 16, 1994

# WATER MEETING

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

TUESDAY MARCH 29, 1994

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

Total number of ballots cast: 530

The following were elected:

Commissioner for 3 years: Leonard A. Phillips 448

Moderator for 1 year: Charles E. Orcutt Jr. 460

Clerk for 1 year: Anita E. Page 458

A true copy:

Attest:

Anita E. Page  
District Clerk

WATER MEETING

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

WEDNESDAY, Spetember 28, 1994 at 7:30 PM

ARTICLE 1. VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue the sum of \$16,500.00 to purchase a new vehicle, and to authorize the Commissioners to trade or sell the 1989 Celebrity.

(Unanimous)

ARTICLE 2. VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue the sum of \$20,000.00 to replace malfunctioning water meters in the system.

(Unanimous)

ARTICLE 3. VOTED: That the District authorize the Commissioners to transfer from surplus revenue the sum of \$14,000.00 to replace power lines and install overhead power lines that feed power to the Lawsbrook Well and the Scribner Well-field from the School Street Treatment Plant.

(Unanimous)

ARTICLE 4. VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue the sum of \$15,000.00 to maintain electronic equipment at the various treatment plants, pump stations and storage tanks.

(Unanimous)

ARTICLE 5. 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 water services from the existing water mains to the property line; and to change several outdated fire hydrants on Massachusetts Avenue, West Acton.

(Unanimous)

ARTICLE 6.

VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue the sum of \$75,000.00 to provide additional funds for the proposed new District office building, and funds for the removal of overhead electrical, telephone and cable lines, and funds for the installation of underground communication lines.

(Unanimous)

ARTICLE 7.

VOTED: That the District authorize the Treasurer, with the approval of the Commissioners, to transfer to Surplus Revenue the unexpended balances remaining after the completion of certain projects and balances as printed in the warrant.

(Unanimous)

ARTICLE 8.

VOTED: That the District authorize the Commissioners to submit the following for enactment by the Senate and House of Representatives of the General Court, and the District by its vote herein approves and accepts the provisions of said Act relative to the early retirement of John E. MacLeod, Manager of the Water Supply District of Acton.

An Act relative to the Early Retirement of a Certain Employee of the Water Supply District of Acton.

Notwithstanding the provisions of any general or special law to the contrary, John E. MacLeod, the Manager of the Water Supply District of Acton shall be eligible for early retirement pursuant to the provisions of section forty-eight of chapter one hundred and thirty-three of the Acts of nineteen hundred and ninety-two; provided, however, that said John E. MacLeod shall submit his application for retirement pursuant to this act not later than April thirtieth, nineteen hundred and ninety-five; and provided, however, that said John E. MacLeod is otherwise eligible to retire for superannuation pursuant to the provisions of chapter thirty-two of the General Laws.

(Unanimous)

Adjourned: 7:55 PM

Water Supply District of Acton

A true copy,

Attest:

*Anita E. Page*  
Anita E. Page, Clerk

September 28, 1994

WATER SUPPLY DISTRICT OF ACTON  
RULES, REGULATIONS AND RATES  
Amended December 12, 1994

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

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

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

SPRINKLER DEMAND CHARGES

Buildings up to 20,000 square feet	\$ 500.00
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, 1992 water users will be billed

as follows: Minimum Price at which water will be furnished, including the use of the meter, will be \$20.00 per each 3 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 \$20.00 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.

33. Insufficient fund checks shall be charged as provided by Section 44 of Chapter 69, Massachusetts General Laws, and the "Rules and Regulations" of the District as adopted December 12, 1994.

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 purveyors to prohibit the use of such devices on the drinking water supply. Although properly designed barrier filters have proven effective on screening contaminants out of influent streams, concern exists regarding 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.

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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

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.

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

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.

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



**BY-LAWS TO REGULATE THE NOMINATION AND  
ELECTION OF OFFICERS OF THE DISTRICT**

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.

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.

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 51, Section 115 of the General Laws.

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.

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.

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 record of the facts in the minutes of the meeting.

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 By-Law.

- 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.

(I 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.

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.

(III 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.

(IV 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.

IV 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.c.111, Section 160, or by the Governor.

#### Section 4 -

The following shall apply to all users of water 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 continues shall constitute a separate offense. This section shall not curtail the Board of Health or Plumbing Inspector, Town of Acton, from seeking enforcement under other applicable 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.

#### KVII 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.

#### KVIII By-Law as amended March 16, 1994 (Article 28)

##### Section One:

By-Law to reduce the 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 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 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 the By-Law shall not invalidate any other portion, provision or section thereof.

## 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.

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.









