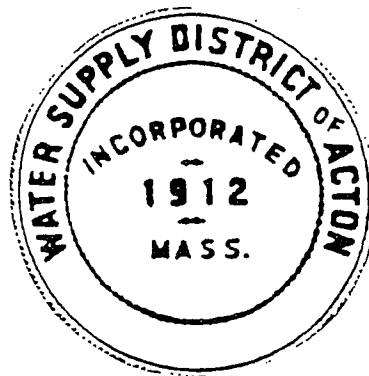


**ANNUAL REPORT
OF THE
WATER SUPPLY DISTRICT
OF
ACTON, MASSACHUSETTS**

For the year ending December Thirty-first 1995



**WARRANT ARTICLES
FOR THE
ANNUAL REPORT**

MARCH 20, 1996

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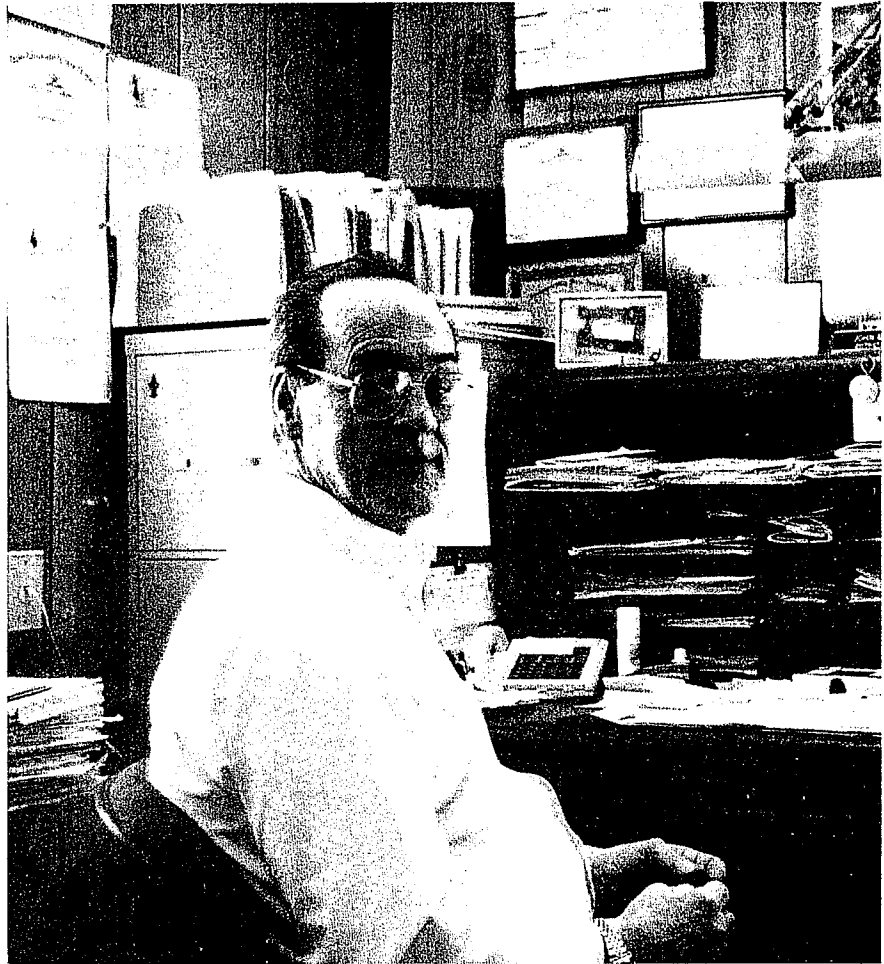
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Commissioners meet on second and fourth Monday of each month, at 7:30 P.M., in the Harlan Tuttle Building, 693 Massachusetts Avenue, Acton

John E. (Jock) MacLeod
District Manager
Water Supply District of Acton

1965 - 1996

In appreciation of the 31 years of service to the Water Supply District of Acton, The District is pleased to dedicate the 1996 Annual Report to "Jock".



WATER DISTRICT ORGANIZATION - 1995

ELECTED OFFICIALS

COMMISSIONERS

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

Term expires 1996
Term expires 1998
Term expires 1997

CLERK

Jane Cutler

Term expires 1996

MODERATOR

Charles E. Orcutt, Jr.

Term expires 1996

APPOINTED OFFICIALS

FINANCE COMMITTEE

Theodore Jarvis
William Kingman
Charles Bradley

Term expires 1998
Term expires 1996
Term expires 1997

DISTRICT MANAGER

John E. MacLeod

Contract expires 1996

TREASURER & COLLECTOR

Linda M. Larson

Term expires 1996

ATTORNEY

Charles E. Orcutt, Jr.

Term expires 1996

ASSISTANT DISTRICT COUNCIL

Mary Bassett-Stanford

COMMISSIONERS SECRETARY

Pamela Sullivan

ACCOUNTANTS

Scheid & Mara, P.C.

WATER DISTRICT STAFF - 1995

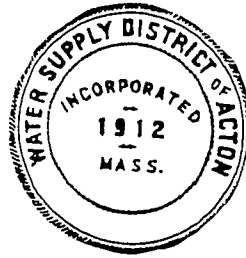
DISTRICT MANAGER	John E. MacLeod
SUPERINTENDENT	Carleton Troupe
TREASURER/COLLECTOR	Linda M. Larson
SECRETARY/A/P BOOKKEEPER	Debra A. Pyrro
CLERK/A/R BOOKKEEPER	Helen F. Argento
FOREMAN	Robert Koch
ASSISTANT FOREMAN/ CROSS CONNECTION SPECIALIST	Stephen G. Peterson, Jr.
OPERATOR/WELL SPECIALIST	Paul McGovern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

ACTON WATER DISTRICT

WARRANT

MARCH 20, 1996

COMMONWEALTH OF MASSACHUSETTS
Middlesex, s.s.



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

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

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

On TUESDAY, MARCH 26, 1996
between 7 o'clock A.M. and 8 o'clock P.M.

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

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

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

Acton-Boxborough Junior High School Auditorium
Charter Road at Mass. Avenue, West Acton
On WEDNESDAY, MARCH 20, 1996
at 7:30 o'clock P.M.

Then and there to act on the following articles:

- ARTICLE 1. To fix salaries of the elected officers.
- ARTICLE 2. To act on the reports of the Commissioners, the Treasurer and other officers and committees of the District.
- ARTICLE 3. To see if the District will vote to authorize the Treasurer, with the approval of the Commissioners, to borrow in anticipation of the revenue or the fiscal year beginning July 1, 1996, 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.
- ARTICLE 4. To see what sums of money the District will vote to raise and appropriate to defray the usual expenses of the District.
- ARTICLE 5. To see if the District will vote to transfer from Receipts Reserve for Appropriation Account (W. R. Grace settlement), the sum of \$60,000.00 for the maintenance and operation, carbon replacement and power costs at the various treatment plants operated by the District, or to take any other action relative thereto.
- ARTICLE 6. To see if the District will vote to authorize the Commissioners to enter into a written agreement for five (5) years in the amount of \$5,000.00 per year for three (3) years, and \$5,500.00 per year for the last two (2) years, with Dyno New England, Inc. (Explosive Supply Company, Inc.), a Massachusetts Corporation having a usual place of business in Acton, Massachusetts, for the purpose of continued use of three (3) magazines for the storage of explosives on land owned by the District off Powdermill Road and New High Street in Acton, or to take any other action relative thereto.
- ARTICLE 7. To see if the District will vote to transfer from Surplus Revenue \$50,000.00 to start replacing current water meters in dwellings in Acton, or to take any other action relative thereto.

- ARTICLE 8. To see if the District will vote to transfer from Surplus Revenue \$50,000.00 for the purpose of renewing numerous outdated water service from existing water mains to the property line; and to change several old outdated fire hydrants, or to take any other action relative thereto.
- ARTICLE 9. To see if the District will vote to transfer from Surplus Revenue a certain sum of money to install new carpet, drapes, and replace chairs in the present conference room in the Harlan Tuttle Building, located at 693 Massachusetts Avenue in Acton, or to take any other action relative thereto.
- ARTICLE 10. To see if the District will vote to transfer from Surplus Revenue a certain sum of money to hottop existing driveway and parking lot at the District's headquarters located at 693 Massachusetts Avenue in Acton, or to take any other action relative thereto.
- ARTICLE 11. To see if the District will vote to transfer from Surplus Revenue a certain sum of money to replace the roof and some cement blocks on the Conant Pumping Station building, located off Main Street (Route 27) in Acton, or to take any other action relative thereto.
- ARTICLE 12. To see if the District will vote to transfer from Surplus Revenue a certain sum of money to purchase a check encoder/endorser machine, or to take any other action relative thereto.
- ARTICLE 13. To see if the District will vote to transfer from Surplus Revenue a certain sum of money to purchase a new van, and to authorize the Commissioners to trade or sell a 1987 Chevrolet van, 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 purchase a new vehicle, 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 chemically treat and clean wells to attain maximum pumping capacity, or to take any other action relative thereto.

- ARTICLE 16. To see if the District will vote to transfer from Surplus Revenue a certain sum of money to assist the Massachusetts Highway Department of the Commonwealth of Massachusetts, to help pay for the cost of installing a new water main in the new proposed bridge in South Acton, and for connecting the new mains into our existing system, or to take any other action relative thereto.
- ARTICLE 17. To see if the District will vote to transfer from Surplus Revenue a certain sum of money to purchase a new copy machine for the District's office, or to take any other action relative thereto.
- ARTICLE 18. To see if the District will vote to transfer from Surplus Revenue a certain sum of money to repair the roof and doors, and to paint the material storage building located at 639 Massachusetts Avenue, or to take any other action relative thereto.
- ARTICLE 19. To see if the District will vote to transfer from Surplus Revenue a certain sum of money to have the District develop and implement a water supply management plan, to comply with the Department of Environmental Protection, Commonwealth of Massachusetts Laws, Regulations and Policies, or to take any other action relative thereto.
- ARTICLE 20. To see if the District will vote to transfer from Surplus Revenue a certain sum of money to evaluate the water usage of the schools and municipal buildings in the District and to allow the District to plan conservation measures in these public buildings, or to take any other action relative thereto.
- ARTICLE 21. To see if the District will vote to authorize the Commissioners to enter into a written lease on such terms and conditions as the Commissioners shall determine, not to exceed seven (7) years with Assabet Communication Corporation, Damonmill Square, Concord, MA 01742, a certain area of land located within four hundred (400) feet radius of Assabet well #3, located off Knox Trail in South Acton, said leased area to be used in connection with an existing radio antenna system for a community radio station licensed by the Federal Communications Commission, owned and operated by Walden Communications Company, Inc., or to take any other action relative thereto.

ARTICLE 22. To see if the District will vote to transfer from Surplus Revenue a certain sum of money to hire a consultant to work with the Commissioners in searching for a new manager for the Water Supply District of Acton, or to take any other action relative thereto.

ARTICLE 23. To see if the District will vote to accept the provisions of a pending amendment to Chapter 32, Section 4(h)(1) authorizing certain public employees creditable service for active service in the armed forces, or to take any other action relative thereto.

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

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

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

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

A true copy, ATTEST:

Jane Cutler,
District Clerk

Appropriations FY96
Six months expense and income report FY96
Appropriations FY97

	FY96 Appropriation	FY96 6 months expense	FY97 Appropriation
Audit	12,500.00	12,500.00	13,000.00
Auto Mnt. & Fuel	18,000.00	3,696.43	18,000.00
Backflow/Cross Conn	6,000.00	410.58	4,000.00
Bank Fees	1,200.00	99.00	1,000.00
Bonds/Inter/Fees	346,250.00	43,625.00	340,075.00
Chemicals	40,000.00	14,753.16	40,000.00
D.E.P. Withdrawal	6,000.00	5,246.82	6,000.00
Education	5,500.00	1,901.04	5,500.00
Engineering	10,000.00	.00	10,000.00
Equipment Rental	3,000.00	.00	3,000.00
Health & Life Ins.	98,900.00	40,873.25	107,900.00
Insurance	50,000.00	23,929.95	45,000.00
Lab. Analysis	10,000.00	3,854.50	10,000.00
Legal & Accounting	20,000.00	4,658.00	20,000.00
Lights/Power/Fuel	110,000.00	33,908.66	110,000.00
Maint. & Operations	80,000.00	45,740.02	85,000.00
Middlesex County			
Retirement	52,688.00	46,726.00	50,526.00
Meters	20,000.00	11,318.31	15,000.00
Office Supplies	12,000.00	1,058.80	10,000.00
Permanent Paving	6,000.00	4,126.26	8,000.00
Petty Cash/Misc.	1,200.00	.00	1,000.00
Postage	10,000.00	2,000.00	10,000.00
Salaries & Wages	493,500.00	254,830.46	525,000.00
Telephone	15,000.00	4,461.13	18,000.00
Water Words Notice	1,500.00	.00	1,800.00
Reserve Fund	<u>30,000.00</u>	<u>.00</u>	<u>30,000.00</u>
	1,459,238.00	559,717.37	1,487,801.00

Budgeted FY96 Revenue
Actual 6 months revenue FY96
Revenue anticipated FY97

Water Rates	1,304,000.00	811,052.79	1,324,776.00
Sprinklers	14,125.00	14,625.97	14,625.00
Rent/Lease	34,359.00	14,128.01	34,400.00
Cross Connection	6,000.00	4,392.24	4,000.00
Installations,			
Demand fees			
& repairs	<u>100,754.00</u>	<u>168,789.14</u>	<u>110,000.00</u>
	1,459,238.00	1,012,988.15	1,487,801.00

Report of the Treasurer
Account Balances
June 30, 1995
FY95

Fleet Bank	
Balance July 1, 1994	96,164.84
Interest Earned	5,790.82
Deposits	1,678,050.02
Warrants	<u>1,625,390.03</u>
Balance June 30, 1995	154,615.65
Shawmut Bank I	
Balance July 1, 1994	98,289.94
Interest Earned	3,177.76
Transferred	<u>100,000.00</u>
Balance June 30, 1995	1,467.70
Shawmut Bank II	
Balance July 1, 1994	85,038.86
Interest Earned	<u>3,536.56</u>
Balance June 30, 1995	88,575.42
MMDT I	
Balance July 1, 1994	912,859.75
Interest Earned	51,801.26
Deposits	350,000.00
Transfers	<u>215,000.00</u>
Balance June 30, 1995	1,099,661.01
Middlesex Savings Bank	
Balance July 1, 1994	81,059.20
Transfers out	50,000.00
Interest Earned	<u>1,278.00</u>
Balance June 30, 1995	32,337.20
Bank of Boston	
Balance July 1, 1994	.00
Deposits	100,000.00
Interest Earned	956.37
Bank fees	<u>5.00</u>
Balance June 30, 1995	100,951.37
Cambridge Trust	
Balance July 1, 1994	74,911.09
Interest Earned	353.20
Closed to Fleet CD	<u>75,264.29</u>
Balance June 30, 1995	.00

Respectfully submitted
Linda M. Larson, Treasurer/Collector

Report of the Collector

June 30, 1995

Outstanding June 30, 1994	43,915.04
Charges	1,665,186.67
Interest Charged	4,593.44
Refunds	<u>658.76</u>
TOTAL:	\$1,714,353.91

Payments	1,673,132.63
Abatements	3,459.05
Adjustments	2,727.80
Outstanding June 30, 1995	<u>35,034.43</u>
TOTAL:	\$1,714,353.91

Charges

Water Rates, New Water Services, Repairs and installations:

Fiscal 1993	1,628,590.62
Fiscal 1994	1,824,917.77
Fiscal 1995	1,665,186.67

Water rates revenue had a decrease from FY94 due to the conservation measures of our concerned citizens, with increases in the Rent/Lease and Installation accounts. The odd/even outside water use restrictions will continue to impact the water account revenue.

Respectfully submitted:
Linda M. Larson
Treasurer/Collector

REPORT OF THE COMMISSIONERS, FOR 1995

The Commissioners are pleased to make the following report for fiscal year 1995 to the residents of the Acton Water District.

This report is dedicated to John E. MacLeod. "Jock" is retiring from the Acton Water District after 31 years of service. Commissioners come and commissioners go, but Jock has been here through much of the growth of the Acton Water District. Let us look at the changes which have taken place in the District during these 31 years and with Jock as District Manager for the last 18 years.

	1964	1995
Number of Services	2,507	6,233
Pumping Capacity-gallons/day	1,600,000	4,320,000
Number of Fire Hydrants	444	1,057
Number of Employees	5	11
Number of Wells	5	10
Number of Water treatment plants	0	4
Gallons of Storage	2,500,000	6,500,000
Cost of a cubic foot of water	1/2 cent	2 cents
Yearly Consumption-gallons	292,757,000	545,807,000

Not only has Jock been pivotal in the growth of the system but there are a tremendous number of improvements that are harder to quantify. These are:

- o Quality of water and its treatment for chemicals and color
- o Leakage-less than 10 percent - an excellent record!
- o Financial health of the District--for the last two years we have been able to reduce rates since the financial health is so good.

and finally that the District is ready for the future with 1,940,000 gallons of well fields available to be developed, a current updated master plan, and a new office building to ensure that there is adequate space to properly manage all the reporting and testing now being required.

Clearly the District is well positioned to continue to provide high quality water to all of its customers at all times. Its greatest challenge will be in dealing with the various regulatory bodies which have overlapping goals of public health and water conservation. A well run system is in a good position to negotiate a rational accord that allows for providing all the water needed at a reasonable price.

Once again, we would like to thank Jock MacLeod for his years of service to the Acton Water District.

Respectfully submitted

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

REPORT OF THE DISTRICT MANAGER

The following report covers the activities of the District for 1995

New house installations	88
Old service lines replaced or renewed	18
Old meters replaced with new meters	137
Repair of damaged hydrants	11
Repair of water main and service breaks	19
Replacement of old fire hydrants	18

New Water Mains Installed in 1995:

Washington Drive Extension, McKinley Drive

Newtown Road Extension

New View Subdivision, Half Moon Hill

Acorn Park Drive, Hazelnut Drive

Chestnut Drive, Parmley Drive

Lawsbrook Village, Winding Wood Lane

Marshall Path, Blueberry Path

Carlisle Road, Great Road to Littleton town line

Total gallons pumped in 1995: 544,789,000

The Water District installed a new water main from Nagog Park to Great Road, and on Great Road to the Littleton town line, thus hooking our water main together with the town of Littleton's water main on Great Road at Nashoba Road. This connection allows us to get water from Littleton in case of emergency, and also enables the District to supply water to Littleton.

The Water District also replaced an old water main on Charter Road for a distance of about 800'. And also replaced about 150' of old water main on Robbins Street with a new main.

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 conducted 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 seminars on water supply and water pollution issues. All District employees are licensed as required by D.E.P.

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 greater 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.

The Water District's new office building is coming along quite nicely, and should be ready for occupancy in April of 1996.

The Water District has done a lot of research on automated meters and computer meter reading equipment, as well as a hand-held computer unit that sends a radio signal to the house to read the

meter. At present time, we have a few of these meters installed, and will be installing many more. To complete the entire town and this program, it will take the Water District about five (5) years.

The Water District has also completed a land swap program agreement with Mr. Brewster Conant, of Acton. The District received a piece of property which enables us to install a new well that will pump about 400,000. gallons of water daily. Mr. Conant received about 2 1/2 acres of land located off Nagog Hill Road in Acton, from the District. I would very much like to personally thank Brewster Conant and his family.

At this time, I want to also 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., Robert Durand, U.S. State Senator, Pam Resor, State Representative, 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.

John E. MacLeod
District Manager

As my years at the Water District come to a close and my retirement is fast approaching, I would like to reflect on my thirty-one years and the changes that have occurred.

In 1965 the District employed five full time people, including myself and Ray L. Harris, superintendent. December 1965 Ray retired and Stephen Scribner was appointed the new superintendent. The commissioners included, Donald L. Loring, Harlan E. Tuttle and Edwin H. Christofferson.

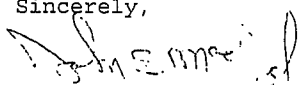
In the years that followed, many changes took place at the District. The growth in the town increased the demand for new water sources and miles of water mains. I was working in the field when I started and had years of hands on training. As the water field became one of our most important and valuable resources, schooling also became vital.

In 1970, Article #11 was accepted by the voters in the town which approved the addition of fluoride to the Districts' water supply. The commissioners at that time were, Kevin B. Sweeney, Alvin R. Piper and Harlan E. Tuttle. In 1971 the District mailed to each water taker, a copy of the Master Plan that was prepared by Dufresne-Henry Engineers.

Late 1978 - 1979 became one of the most eventful years for the District with contamination from W.R. Grace and other parties. This was the beginning for the district for a suit for contamination that would eventually involve other towns in many states. Our reports, tests results and court decisions have helped so many other water resources and continues today to be an intricate library of information for the future.

My journey as District Manager from 1980 to 1996 has been very fulfilling to me. I have seen tremendous growth within the District as well as in the town. I feel that I have been a part of the future in the water field and I am sure that I will be involved in the years ahead in my retirement. I had the opportunity and pleasure to work with very dedicated commissioners, finance committee members, district treasurers, collectors, attorneys, the employees, the Districts' advisory committees and most of all the citizens who have supported and trusted us during difficult times, all who make the District what it is today.

Sincerely,



John E. MacLeod
District Manager

REPORT OF THE FINANCE COMMITTEE
JUNE 30, 1995

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

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

In accordance with changes in the State Procurement Laws, the Finance Committee continues to review the W.R. Grace Fund with the investment managers, Boston Security Counsellors, Inc.

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

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

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

WATER SUPPLY DISTRICT OF ACTON

FINANCIAL STATEMENTS

JUNE 30, 1995

WATER SUPPLY DISTRICT OF ACTON

FINANCIAL STATEMENTS

JUNE 30, 1995

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, 1995, 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, 1995, or the results of its operations or the changes in its fund balances for the year then ended.

SCHEID & MARA, PC
CERTIFIED PUBLIC ACCOUNTANTS

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, 1995, 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
Scheid & Mara, PC
Concord, Massachusetts
July 21, 1995

WATER SUPPLY DISTRICT OF ACTON
 COMBINED STATEMENT OF ASSETS, LIABILITIES AND FUND BALANCES –
 ALL FUND TYPES AND ACCOUNT GROUPS – STATUTORY BASIS
 JUNE 30, 1995

	GOVERNMENTAL FUND TYPES		FIDUCIARY FUND TYPE	ACCOUNT GROUP	TOTAL
	GENERAL FUND	CAPITAL PROJECTS	W.R. GRACE FUND	GENERAL LONG TERM DEBT	(MEMORANDUM ONLY)
ASSETS					
Cash	\$1,477,608	–	\$129,515	–	\$1,607,123
Restricted Cash	–	\$16,702	–	–	16,702
Investments	–	–	2,200,839	–	2,200,839
Accounts Receivable	35,004	–	–	–	35,004
Less Reserve For Uncollectible Receivables	(35,004)	–	–	–	(35,004)
Due From General Fund	–	737,705	–	–	737,705
Amount To Be Provided For Long Term Debt	–	–	–	\$1,295,000	1,295,000
TOTAL ASSETS	\$1,477,608	\$756,407	\$2,330,354	\$1,295,000	\$5,859,369
LIABILITIES AND FUND BALANCES					
LIABILITIES					
Long Term Debt	–	–	–	\$1,295,000	\$1,295,000
Due To Capital Projects Fund	\$737,705	–	–	–	737,705
TOTAL LIABILITIES	737,705	0	0	1,295,000	2,032,705
FUND BALANCES					
Unreserved	739,903	–	–	–	739,903
Reserved For Capital Projects	–	\$756,407	–	–	756,407
Reserved For W.R. Grace	–	–	\$2,330,354	–	2,330,354
TOTAL FUND BALANCES	739,903	756,407	2,330,354	0	3,826,664
TOTAL LIABILITIES AND FUND BALANCES	\$1,477,608	\$756,407	\$2,330,354	\$1,295,000	\$5,859,369

SEE ACCOMPANYING NOTES TO THE FINANCIAL STATEMENTS.

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, 1995

	GENERAL FUND	CAPITAL PROJECTS	TOTAL (MEMO ONLY)
REVENUES			
Water Rates and Services	\$1,671,655	-	\$1,671,655
Interest Income	67,363	-	67,363
TOTAL REVENUES	1,739,018	0	1,739,018
EXPENDITURES			
Salaries and Wages	470,000	-	470,000
Maturing Debt and Interest	382,397	-	382,397
Capital Project Expenditures, Net	-	\$246,453	246,453
Health and Life Insurance	95,310	-	95,310
Lights, Power and Fuel	85,632	-	85,632
Maintenance and Operations	80,000	-	80,000
Middlesex Retirement	41,107	-	41,107
Chemicals	30,000	-	30,000
Insurance	26,513	-	26,513
Meters	19,000	-	19,000
Legal	18,000	-	18,000
Auto and Maintenance	12,838	-	12,838
Audit	12,500	-	12,500
Laboratory Analysis	10,000	-	10,000
Telephone	10,000	-	10,000
Postage	9,767	-	9,767
Reserve Fund	9,530	-	9,530
Office Supplies	7,989	-	7,989
Permanent Paving	6,000	-	6,000
Engineering	5,897	-	5,897
Cross Connection	5,896	-	5,896
Education Expense	3,049	-	3,049
Water Word Notice	1,426	-	1,426
Miscellaneous	849	-	849
Equipment Rent	750	-	750
Bank Fees	129	-	129
TOTAL EXPENDITURES	1,344,579	246,453	1,591,032
Revenues Over (Under) Expenditures	394,439	(246,453)	147,986
Net Transfers Between General Fund and Capital Projects Fund	(486,905)	486,905	0
Excess of Revenues Over (Under) Expenditures and Net Transfers	(92,466)	240,452	147,986
Fund Balance - Beginning of Year	832,369	515,955	1,348,324
Fund Balance - End of Year	\$739,903	\$756,407	\$1,496,310

SEE ACCOMPANYING NOTES TO THE FINANCIAL STATEMENTS.

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, 1995

	ACTUAL	BUDGET	VARIANCE FAVORABLE (UNFAVORABLE)
REVENUES			
Water Rates and Services	\$1,671,655	\$1,442,500	\$229,155
Interest Income	67,363	–	67,363
TOTAL REVENUES	1,739,018	1,442,500	296,518
EXPENDITURES			
Salaries and Wages	470,000	470,000	0
Maturing Debt and Interest	382,397	382,925	528
Health and Life Insurance	95,310	97,000	1,690
Lights, Power and Fuel	85,632	100,000	14,368
Maintenance and Operations	80,000	80,000	0
Middlesex Retirement	41,107	53,000	11,893
Chemicals	30,000	30,000	0
Insurance	26,513	56,000	29,487
Meters	19,000	19,000	0
Legal	18,000	18,000	0
Auto and Maintenance	12,838	17,000	4,162
Audit	12,500	12,500	0
Laboratory Analysis	10,000	10,000	0
Telephone	10,000	10,000	0
Postage	9,767	9,800	33
Reserve Fund	9,530	30,000	20,470
Office Supplies	7,989	13,000	5,011
Permanent Paving	6,000	6,000	0
Engineering	5,897	10,000	4,103
Cross Connection	5,896	6,000	104
Education Expense	3,049	4,000	951
Water Word Notice	1,426	1,500	74
Miscellaneous	849	1,375	526
Equipment Rent	750	3,000	2,250
Bank Fees	129	2,400	2,271
TOTAL EXPENDITURES	1,344,579	1,442,500	97,921
Revenues Over Expenditures	394,439	0	394,439
Net Transfers Between General Fund and Capital Projects Fund	(486,905)	(486,905)	0
Excess of Revenues Over (Under) Expenditures and Net Transfers	(92,466)	(486,905)	394,439
Fund Balance -- Beginning of Year	832,369	832,369	0
Fund Balance -- End of Year	\$739,903	\$345,464	\$394,439

SEE ACCOMPANYING NOTES TO THE FINANCIAL STATEMENTS.

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, 1995

	W.R. GRACE FUND
REVENUES	
Dividend and Interest Income	\$129,613
Net Gain On Investments	<u>127,337</u>
TOTAL REVENUES	<u>256,950</u>
EXPENDITURES	
Maintenance and Operations	48,616
Air Stripper	7,571
Grace #3 Study	4,524
Investment Management Fees	<u>9,387</u>
TOTAL EXPENDITURES	<u>70,098</u>
Revenues Over Expenditures	186,852
Fund Balance – Beginning of Year	<u>2,143,502</u>
Fund Balance – End of Year	<u><u>\$2,330,354</u></u>

SEE ACCOMPANYING NOTES TO THE FINANCIAL STATEMENTS.

WATER SUPPLY DISTRICT OF ACTON
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 1995

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 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:

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.

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 to record its activities:

Governmental Fund Types

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

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.

SCHEID & MARA, P.C.
CERTIFIED PUBLIC ACCOUNTANTS

WATER SUPPLY DISTRICT OF ACTON
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 1995

NOTE 1 - GENERAL STATEMENT AND SUMMARY OF SIGNIFICANT ACCOUNTING
POLICIES (continued)

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.

Property, plant and equipment are not recorded on the Combined Statement of Assets, Liabilities and Fund Balances of the District. Funds used to acquire property, plant and equipment 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.

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.

Total Columns 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.

WATER SUPPLY DISTRICT OF ACTON
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 1995

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 property, plant and equipment are reported as expenditures from the Capital Projects Fund. Under generally accepted accounting principles, the property, plant and equipment would be capitalized on the balance sheet and depreciated over the useful lives of the various assets.

NOTE 3 - RESTRICTED CASH

At June 30, 1995, the District had possession of \$18,702 in restricted cash. This is the balance remaining on a deposit made by a contractor for the extension of a water main into a new housing development.

NOTE 4 - 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. At June 30, 1995, the investments had a cost basis of \$2,200,839 and a market value of \$2,225,909.

Net gain on investments of \$127,337 reported in the Statement of Revenues, Expenditures and Changes in Fund Balance - Fiduciary Fund Type - Statutory Basis consists of \$127,994 of recovery of prior net unrealized loss and \$657 of net realized loss.

NOTE 5 - INTERFUND RECEIVABLE AND PAYABLE

At June 30, 1995, \$737,705 was due to the Capital Projects Fund from the General Fund.

WATER SUPPLY DISTRICT OF ACTON
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 1995

NOTE 6 - GENERAL LONG-TERM DEBT

General Long-Term Debt consists of the following obligations at June 30, 1995:

Description	Original Amount	Interest Rate	Date of Issue	Date of Maturity	Balance 6/30/95
Water Mains	\$595,000	7.50%	06/01/85	06/01/97	\$ 95,000
Water Mains	625,000	6.39%	08/15/86	02/15/98	150,000
Walsh Rsvr	<u>2,100,000</u>	6.70%	06/01/89	06/01/01	<u>1,050,000</u>
Total	<u>\$3,320,000</u>				<u>\$1,295,000</u>

During the year ended June 30, 1995, \$275,000 of principal, \$105,926 of interest and \$1,471 of fees were paid on the bonds. The total of these amounts, \$382,397, 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, 1995 are as follows:

Fiscal Year Ending June 30,	
1996	\$275,000
1997	270,000
1998	225,000
1999	175,000
2000	175,000
2001	<u>175,000</u>
Total	<u>\$1,295,000</u>

WATER SUPPLY DISTRICT OF ACTON
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 1995

NOTE 7 - 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, 1995, were \$41,107.

NOTE 8 - COMMITMENTS

The District has entered into certain contracts for the construction 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, 1995

	BEGINNING BALANCE 6/30/94	TRANSFERS FROM GENERAL FUND	TRANSFERS TO GENERAL FUND	PAYMENTS MADE (RECEIVED)	ENDING BALANCE 6/30/95
Burster Machine	\$0	\$11,000	—	—	\$11,000
Car 94	41	—	\$41	—	0
Clapp Well Aquifer	331	—	331	—	0
Clapp/Whitcomb Color	2,094	—	—	\$709	1,385
Clean Wells 94	8,033	—	—	3,317	4,716
Computer Electrical Equipment	313	—	—	—	313
Computer Programs 94	6,350	—	—	3,350	3,000
Conant Land	13	—	13	—	0
Cross Connection	16,358	—	—	—	16,358
D.E.P. Fees 94	6,000	—	933	5,067	0
Electronic Equipment 95	0	15,000	—	6,017	8,983
Ethan Allen Cement Repairs	2,000	—	—	—	2,000
Generator Kennedy 94	50,725	—	—	45,690	5,035
Harlan Garage	57	—	57	—	0
Large Meters 95	0	20,000	—	2,938	17,062
Leak Detection 94	10,000	—	—	7,000	3,000
Legal / Survey Nagog 94	13,536	—	—	7,019	6,517
Manager Severance Package	0	31,200	—	—	31,200
Master Plan 94	15,000	—	—	9,800	5,200
Meter Reading Equipment 95	0	25,000	—	—	25,000
Northwest Structures	0	—	—	33,298	—
Northwest Structures	0	—	—	(52,000)	18,702
Office Building 10/94	0	75,000	—	—	75,000
Office Building 93	260,377	—	—	22,298	238,079
Phone/Furniture 94	25,000	—	—	613	24,387
Pick-up 10/94	0	16,500	1,988	14,512	0
Pick-up 94	5	—	5	—	0
Power Lawsbrook Scribner	0	14,000	—	—	14,000
Protection Plan 94	10,000	—	—	—	10,000
Robbins Street 93	20,277	—	6,277	14,000	0
Salary and Wages Overtime	8,294	—	—	1,595	6,699
Septage Lagoons Monitoring	1,347	—	—	—	1,347
Tank Interior Inspections	2,650	—	2,650	—	0
Telemetering 93	10,000	—	—	6,500	3,500
Trenching Box	0	12,500	—	—	12,500
Update Services 10/94	0	50,000	—	37,171	12,829
Update Services 94	40,889	—	—	40,889	0
Update Services 95	0	45,000	—	—	45,000
Water Main – Charter Road	0	63,000	—	31,464	31,536
Water Main – Great Road	0	95,000	—	2,957	92,043
Water Main – Robbins Street	0	26,000	—	2,249	23,751
Whitcomb Power Update	972	—	—	—	972
Whitcomb Well Study	5,293	—	—	—	5,293
	<u>\$515,955</u>	<u>\$499,200</u>	<u>\$12,295</u>	<u>\$246,453</u>	<u>\$756,407</u>

WATER SUPPLY DISTRICT OF ACTON
SUPPLEMENTAL SCHEDULE OF W.R. GRACE FIDUCIARY FUND ACTIVITY --STATUTORY BASIS
FOR THE YEAR ENDED JUNE 30, 1995

	BEGINNING BALANCE 6/30/94	APPROPRIA- TIONS PER ANNUAL MEETING	REVENUES OVER (UNDER) EXPENDI- TURES	ENDING BALANCE 6/30/95
Maintenance and Operations	\$50,427	\$60,000	(\$48,616)	\$61,811
Air Stripper	23,474	-	(7,571)	15,903
Grace #8 Study	58,904	(54,380)	(4,524)	0
Unappropriated	2,010,697	(5,620)	247,563	2,252,640
	<u>\$2,143,502</u>	<u>\$0</u>	<u>\$186,852</u>	<u>\$2,330,354</u>

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 Ave., West Acton

WEDNESDAY, MARCH 15, 1995 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, 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 General Laws, Chapter 44, Section 17.

(Unanimous)

ARTICLE 4.

VOTED: To appropriate from estimated receipts of the District the sum of \$1,459,238.00 for the maintenance and operation of the District, and specific appropriations as follows:

APPROPRIATIONS AND EXPENDITURES FOR 1995-1996

Audit	\$ 12,500.00
Auto Maintenance & Fuel	18,000.00
Backflow/Cross Connection	6,000.00
Bank Fees	1,200.00
Bonds, Interest, Fees	346,250.00
Chemicals	40,000.00
D.E.P. Withdrawal	6,000.00
Education	5,500.00
Engineering	10,000.00
Equipment Rental	3,000.00
Health & Life Insurance	98,900.00
Insurance	50,000.00
Laboratory Analysis	10,000.00
Legal & Accounting	20,000.00
Lights, Power & Fuel	110,000.00
Maintenance & Operations	80,000.00
Middlesex County Retirement	52,688.00
Meters	20,000.00
Office Supplies	12,000.00
Permanent Paving	6,000.00
Petty Cash/Miscellaneous	1,200.00
Postage	10,000.00
Salaries & Wages	493,500.00
Telephone	15,000.00
Water Words Notice	1,500.00
Reserve Fund	30,000.00
TOTAL	\$1,459,238.00

BUDGETED RECEIPTS FOR FISCAL 1995

Water Rates	\$1,304,000.00
Sprinklers	14,125.00
New Installations/Repairs	100,754.00
Rent/Lease	34,359.00
Cross Connection/Backflow	6,000.00
TOTAL	\$1,459,238.00

(Unanimous)

ARTICLE 5.

VOTED: That the District authorize the Commissioners to transfer from Receipt 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.

(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 authorized by vote of the District.

- 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 \$6,277.12 for project completed under Article 12 of the Annual Meeting of March 17, 1993, which approved the installation of a new eight (8") inch water main on Robbins Street.

(Unanimous)

ARTICLE 7.

VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue the sum of \$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.

(Unanimous)

ARTICLE 8.

VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue the sum of \$12,500.00 to purchase a Trenching Box (or Shoring Box).

(Unanimous)

ARTICLE 9.

VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue a sum of \$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.

(Unanimous)

ARTICLE 10.

VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue \$25,000.00 to purchase automated meter reading equipment, which can be adapted to our present computer equipment.

(Unanimous)

ARTICLE 11.

VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue the sum of \$31,200.00 to pay the District Manager, John E. MacLeod, his severance package, and to authorize the Treasurer to pay said amount upon the retirement of the employee.

(Unanimous)

ARTICLE 12.

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.

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.

(Unanimous)

ARTICLE 13.

VOTED:

- (a) That the District extend a ten (10") inch water main a distance of five hundred (500) feet, more or less, on Carlisle Road from North Street in North Acton, together with hydrants and necessary fittings, and to transfer from Surplus Revenue the sum of \$52,000.00 for such purpose.
- (b) That prior to the 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 Ave., 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.

(Unanimous)

ARTICLE 14.

VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue the sum of \$26,000.00 to replace the existing water main with an eight (8) inch water main on Robbins Street, a distance of one hundred (100) feet, more or less, together with necessary fittings.

(Unanimous)

ARTICLE 15.

VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue the sum of \$63,000.00 to replace the existing water main with an eight (8") inch water main on Charter Road approximately six hundred fifty (650') feet, more or less, together with necessary fittings, and to renew six (6) house services.

(Unanimous)

ARTICLE 16.

VOTED: That the District authorize the Commissioners to transfer from Surplus Revenue the sum of \$95,000.00 to extend a twelve (12") inch water main from existing main on Great Road (Rt. 2A) in Acton, a distance of about seven hundred (700) feet to the Acton/Littleton town line at Great Road (Rt. 2A) and Nashoba Road, and to connect to the existing town of Littleton's water main.

(Unanimous)

ARTICLE 17.

VOTED: That the District authorize the Treasurer, with the approval of the Commissioners, to transfer to the Receipt Reserve for Appropriation (W.R. Grace Settlement Account) the unexpended balance in the sum of \$54,380.00 for the 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.

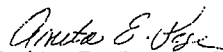
(Unanimous)

Adjourned: 8:24 PM

Water Supply District of Acton

A true copy,

Attest:


Anita E. Page, Clerk

March 15, 1995

WATER MEETING

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

TUESDAY MARCH 28, 1995

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

Total number of ballots cast: 1731

The following were elected :

Commissioner for 3 years: Ronald R. Parenti	1337
Moderator for 1 year: Charles E. Orcutt Jr.	1372
Clerk for 1 year: Jane A. Cutler	1343

A true copy:
Attest:

Anita Page
District Clerk

WATER SUPPLY DISTRICT OF ACTON
RULES, REGULATIONS AND RATES
Amended December 17, 1995

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 Massachusetts Avenue. Demand charge schedule is set forth as follows:

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

SPRINKLER DEMAND CHARGES

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

1. The demand charges are payable prior to service connection. Pipe size and type of 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, will be paid for by the owner or applicant before 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 will 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 will be made to the service installed by the Water District except by authorized agents of the Water District.
7. The Water District will 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, will 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 persons be allowed to handle hydrants or other waste apparatus without permission of the Water Commissioners.
15. No water taker will be allowed to supply water to others, except by special permit from the Board of Water Commissioners and found doing so without a permit, the supply will be shut off.
16. Owners should notify the Water District to shut off water if the building becomes vacant. Water will be turned on again when the owner notifies the Water District, and upon the payment of eighteen dollars for turn-on.
17. 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 will be done under the direction of the District Manager or Foreman.

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

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

The District Manager or authorized agent will 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 will 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 will be fined not more than \$200.00 for each offense, which will inure to the District for such uses as the Commissioners may direct. Fines will be recovered by indictment or on a complaint before the District Court, or by non-criminal disposition in accordance with section twenty-one D of Chapter 10 of the General Laws. Every day that such violation continues constitutes a separate offense".

22. Effective July 1, 1992 water users will be billed as follows: The minimum price at which water is furnished, including the use of water meter, is \$18 for each three (3) month period. The minimum charge allows the use of 1000 cubic feet of water for each six (6) month period, with no refund or abatement for amounts of water less than 1000 cubic feet used.

In the month of January and July, a minimum charge of \$18.00 will be billed to each water service unit. In October and April there will be a minimum charge of \$18.00 plus the excess over 1000 cubic feet of water for a six month period which will be billed at \$2.00 per 100 cubic feet of water used.

A minimum charge applies to each water service unit.

New owners having had possession of property less than thirty (30) days, and having used less than 1000 cubic feet will be billed at the current minimum charge for the billing quarter following the purchase.

There is a minimum charge of \$5.00 for closing costs on property transfers where there has been no water use from the date of the last actual water bill.

Water rates, demand charges, rental fees, hydrants and sprinklers and other charges imposed by the District will 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 three (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 will 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 will 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 any inspector on sites where new water main and necessary fittings are installed in new developments, private roads, business and commercial sites. The Water District will charge an hourly fee which will be paid to the Water District by the owner, contractor or developer. All materials used will meet the specifications of the Water Supply District of Acton.
27. No person will 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 will be fined not more than \$200.00 for each offense, which will 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 will constitute a separate offense. This section will 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, will submit a concept plan with sufficient information so that the Water District can generate a Water Impact Report. This report will: 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 will meet to mitigate the effects of this impact. The Water Impact Report will be reviewed and approved by the Water Commissioners. Costs associated with generating the Water Impact Report will 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 service.
31. Underground Lawn Sprinkler Regulations Effective November 13, 1989
 - I. For systems installed between September 11, 1979 and June 3, 1988:
 1. If 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 will 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 will be submitted to the District Manager and DigSafe for approval to insure safety and accessibility for repair, replacement or inspection of the lines located in the same trench.
33. Insufficient fund checks will 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
Stephen C. Stuntz, Chairman
Leonard A. Phillips
Ronald R. Parenti

WATER FILTERS

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

WATER FILTER GUIDELINES

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

are considered potentially deleterious to Public Health, because they promote the proliferation of bacterial and viral growth and development.

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

SECTION 1, CROSS-CONNECTION CONTROL AUTHORITY

As provided in the Federal Safe Drinking Water Act of 1974 (Public Law 93-523); and under the provisions of Massachusetts General Laws, Chapter 41, Section 69B; Massachusetts Drinking Water, Regulations, 310 C.M.R., Section 22.22; and Section 13, of the By-Laws of the Water Supply District of Acton, the water purveyor, has the primary control and responsibility for preventing water from unapproved sources, or any substances, from entering the public potable water system. The said Water Supply District of Protection, "As Corrected", 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 Supply District) from the possibility of contamination or pollution by isolating within its customer's internal distribution system(s) or its customer's private water system(s) such contaminants or pollutants which could backflow or backsiphon 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 nonpotable 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) will be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow or backsiphonage of contaminants or pollutants through the water service connection. If, in the judgement 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 will give notice in writing to said customer to install such an approved backflow prevention device at each service connection to his premises. The customer will, 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 constitutes grounds for discontinuing water service to the premises until such device or devices have been properly installed.

SECTION 3, DEFINITIONS

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

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

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

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

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

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

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

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

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

3.6.4 Pressure Vacuum Breaker A device containing one or two

independently 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 judgement 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 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 will mean the downstream end of the water. 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 will 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 will 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 will 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 will include the network of conduits used for the delivery of water from the source to the customer's system.

4.1.5 The customer's system will 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 providing potable water.

4.2 Policy

4.2.1 No water service connection to any premises will 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 will 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 will be at the customer's expense.

4.2.3 An approved backflow prevention device where required in accordance with Section 2.2 above, will 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 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 the Acton Board of Health, the public water system will 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 will 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 will 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 4.23A, B, C will 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 4.23A 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 water system; or

4.2.4C Where there are "uncontrolled" cross-connections, either actual or potential, the public water system will be protected by an approved air-gap separation or an approved reduced pressure principal 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 will 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 implant cross-connection survey, the public water system will 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 will be installed in each service to the premises.

4.2.5 Any backflow prevention device required herein will be of a mode and size approved by the District Manager. The term "approved backflow prevention device" will 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 will 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 will be at the expense of the water user and will be performed by Water District personnel, or by a certified tester approved by the District Manager, and approved by the State of Massachusetts. It will be the duty of the District Manager to see that these timely tests are made. The District Manager will 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 will 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, will, 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 will 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.

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

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

A. Survey Fees

\$55.00 - first hour or part thereof (minimum)
\$26.00 - each additional hour - chargeable in
one-quarter hour installments

B. Testing Fees (During normal work hours.)

1st Device - \$55.00 per device (or unit).
2nd Device and all additional devices - \$30.00 per
device (or unit).

C. If testing cannot be conducted during regular work
hours (Monday - Friday), 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.

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

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

- I The purpose of the By-Laws hereinafter set forth are to regulate the nomination and election of officers for the District so that the voters of the District may have knowledge of the candidate prior to an election.
- II All elections to any office in the District shall be by means of a printed ballot. This ballot shall be caused to be printed by the Commissioners acting as election officers from information furnished to them by the Clerk of the District as provided hereinafter.
- III No person's name shall be printed on the ballot unless he or someone on his behalf has submitted nomination papers signed by fifty registered voters of the District, setting forth the office for which he is a candidate and containing a statement signed by the candidate that he will accept the office, if elected. Nomination papers of a candidate for office of the District shall be filed with the Clerk of the District in accordance with Chapter 53, Section 10 of General Laws, Submission to the Registrar of Voters shall be in accordance with Chapter 41, Section 115 of the General laws.
- IV Nothing herein shall be construed as preventing a vote by stickers or writing in the name of a candidate, all as provided in the General Laws, except that not such sticker or write-in candidate shall be deemed to be elected unless he has received valid votes equivalent to 1% of the total of the number of registered voters in the District, as hereinafter determined.
- V The Commissioners, acting as election officers, shall prepare as of twenty (20) days prior to the Annual Election, a list of eligible voters from the official voting list of the Town of Acton as of that time. This list will remain closed until after the Annual Meeting of the District. The list will then be reviewed and revised for all subsequent Special Meetings, up to the day of the Special Meeting. These lists will then be used to determine the right of any person to vote at any election or any meeting of the District.
- VI All candidates elected to offices in the District will be sworn to the performance of their duties by the Clerk of the District, except in the case of the Clerk, who will be sworn by any of the Commissioners. The Clerk will record the facts in the minutes of the meeting.
- VII Elections and Nominations of District officers will be conducted in accordance with chapters 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.

BY-LAWS

(as adopted and amended to March, 1994)

- i The Annual Meeting of the Water Supply District will 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 will 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 will 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 will preside at each meeting until a Moderator is chosen.
- v At each Annual Election Day there will be elected by ballot, one Commissioner for a term of three years, a Clerk and a Moderator who will 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 will annually in the report of the District, give an estimated budget for the ensuing year.
- viii a) The Moderator will appoint a Finance Committee to advise the Commissioners. The Committee will consist of three voters of the District and will be appointed in the following manner:

One member will be appointed for one year;
One member will be appointed for two years; and
One member will be appointed for a term of three years.

Thereafter, each appointment will be for a term of three years.

b) No member of the Finance Committee may serve any other standing committee of the District or the Town of Acton having to do with expenditure of funds.

c) The Finance Committee will review the budget for the Annual

Meeting and will make recommendations to the Commissioners on any matters of a financial nature arising out of an Annual or Special Meeting, and will make recommendations as to the long range fiscal plans of the District.

- ix The Commissioners will appoint annually a Treasurer/Collector, which office will 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 will be fined not more than \$200.00 for each offense, which will inure to the District for such uses as the Commissioners may direct. Fines will 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 will constitute a separate offense.
- xi a) A five member Water-Land Management Advisory Committee is hereby established. Two members to be appointed by the Commissioners for a term of three years, two members to be appointed by the Moderator of the District for a term of two years, one member to be appointed by the Selectmen for a term of one year. Thereafter, each appointment will be for a term of three years.

b) The Advisory Committee will review and make recommendations to the Commissioners on matters relating to water and land management policies of the district, and will make recommendations to the Commissioners on any matter relating to to agreement authorized under the "By-Law to Regulate the Removal of Sale, of Sand and Gravel, from Lands in District Use", and will undertake such other tasks related to water and land management as the Commissioners deem appropriate.
- xii No person will 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 will be fined not more than \$200.00 for each offense, which will inure to the District for such uses as the Commissioners may direct. Fines will be recovered by the indictment, 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 will constitute a separate offense. This section will not curtail the fire department or Water District in the normal course of providing fire protection or water supply.
- xiii a) No person will maintain upon premises which they own or occupy, a physical cross connection between distribution system of a public water supply, the water which is being used for drinking, domestic, or culinary purposes, and the

distribution system of any unapproved water supply, unless the 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 will 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 will 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 customer's internal distribution system, such contaminants or pollutants which could backflow or back-siphon into the public water system; and to promote the elimination or control of existing cross connections between its customers; in-plant potable water system, and non-potable water system; and to provide for maintenance of a continuing program of cross connection control which will effectively prevent the contamination or pollution of all potable water systems by cross connection.

xiv The 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 accrue if such charges or bills remain unpaid after such due rates, provided, however, such rate of interest may not exceed the rate of interest which may be charged on tax bills under the provision of Section 57 of Chapter 59, Massachusetts General Laws, as amended.

xv Section 1 - Authority:

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

Section 2 - Purpose:

The purpose of this By-Law is to protect, preserve, and maintain the public health, safety and welfare whenever there is a state of water supply emergency in force, 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 will 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 means a state of water supply emergency declared by the Department of Environmental Protection pursuant to G.L.c.21G, Section 15, 16, 17:G.L.c111, Section 160, or by the Governor.

Section 4 -

The following applies 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 will 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 violates this By-Law, shall be liable to the District in the amount of \$50.00 for the first violation and \$100.00 for each subsequent violation which will inure to the District for such uses as the Board of Water Commissioners may direct. Fines will be recovered by indictment or on complaint before the District court, or by non-criminal disposition in accordance with Section 21D of Chapter 40 of the General Laws. Each separate instance of noncompliance following the issuance of any warning or citation pursuant to this section shall constitute a separate violation.

Section 6 - Right of Entry:

Agents of the enforcement authority may enter any property, except the interior of a domicile, for the purpose of inspection or investigating any violation of the By-Law or enforcing against the same.

Section 7 - Severability:

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

xvi By-Law to Regulate Underground Water Sprinklers

- a) No person shall install, repair, replace, or alter a permanent outdoor underground water sprinkler connected to the public water supply except as provided by this By-Law.
- b) Applications to the District for the installation and use of permanent outdoor underground lawn sprinklers will be signed by the owner(s) of the premises where it is desired, or by a duly authorized agent, and will be made in writing. The application will contain such information as shall be prescribed by the Commissioners.
- c) The Commissioners will 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 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 will include fees to be paid to the District by the applicant or owner.
- d) The Commissioners will 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 will 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 will be the responsibility of the owner(s) to produce written evidence of the same. Any permanent underground water sprinkler legally installed prior to the effective date of this By-Law which becomes defective or requires replacement or repair will be subject to this By-Law and the rules and regulations adopted by the Commissioners from time to time.
- f) If the Commissioners find that any provision of this By-Law is being violated, the Commissioners will notify in writing the person(s) deemed responsible for such violation, indicating the nature of the violation, and ordering the necessary to correct it.
- g) Any person violating this By-Law will be fined not more than \$200.00 for each offense, which will inure to the District for such uses as the Commissioners may direct. Fines will be recovered by indictment or on complaint before the District Court or by non-criminal disposition in accordance with 21D of Chapter 40 of the General Laws. Every day that such violation continues will constitute a separate offense. This section will not curtail the Board of Health or Plumbing

Inspector, Town of Acton, from seeking enforcement under other applicable provisions of law.

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

xvii Addition to By-Laws

The owner of property supplied will be charged for all water furnished to the premises during ownership of the premises. When ownership changes, the name and mailing address of the new owner will 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 will 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 will require separate service lines and meters.

xviii 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 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 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 will mean the District's Board of Water Commissioners, or District Manager, having the 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 applies to all users of water supplied by the District. Following appropriate notification of 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 vote of the Commissioners at a regular or special meeting of the Board.

b) Notification of any restriction, requirement or condition to conserve water will 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 will 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 Commissioner's may exist.

Section Five:

Penalty:

Any person or entity who violates this By-Law, or order or notification, will be liable to the District in the amount of

\$300.00 which will inure to the District for such use as the Commissioners may direct. Fines will 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 will constitute a separate violation.

Section Six:

Permanent Orders of the Commissioners:

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

(a) Outside use of water will 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's authorized personnel will require an inside meter reading by authorized District 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 will 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 By-Law 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 will 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 will be given at least two weeks prior to 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 will 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 will 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 will 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 will be broken down to their natural angle of repose at the end of each working day. Any existing non-complying faces will 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 will be restored before work commences on the next contiguous three acres, so that at

no time, will anymore than four acres be unrestored.

I. Provisions to grade slopes safely, loam and revegetate all disturbed areas.

J. Removal of debris, stumps, boulders, etc. from the site and dispose of in an approved location or in the case of inorganic matter, buried and covered with at least two feet of soil.

K. A requirement that all retained subsoil and topsoil be spread over the disturbed area and seeded. Trees or shrubs of prescribed species will be planted to provide screening and reduce erosion during the establishment period.

L. A requirement that final restoration work be completed within 60 days, weather permitting, after completion of excavation operations.

M. A requirement of posting of surety bond, performance and payment bond, or other adequate security to insure compliance with terms of the contract.

N. Regular inspection by the Commissioners or their agent at reasonable hour to insure that contract provisions are being adhered to, and provision for halting operation for any violation.

O. Other appropriate conditions, limitations and safeguards as the Commissioners deem necessary for the protection of the public health, safety, convenience and welfare, and for protection and preservation of the purity of the water.

