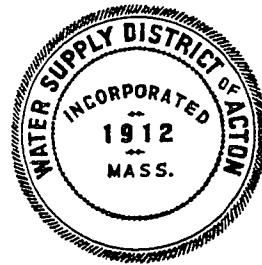


ANNUAL REPORT
OF THE
WATER SUPPLY DISTRICT
OF
ACTON, MASSACHUSETTS



For the Year Ending December Thirty-first

1973

ORGANIZATION - 1973

Water Commissioners

Kevin B. Sweeney	Term expires 1974
Alvin R. Piper	Term expires 1975
Harlan E. Tuttle	Term expires 1976

Moderator

Milford B. Bottomley	Term expires 1974
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Clerk

Mrs. Beryl B. Silva	Term expires 1974
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Treasurer

Carl R. Godfrey	Term expires 1974
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Finance Committee

Frederick H. Bubier	Term expires 1974
Robert E. Nelson	Term expires 1975
Donald L. Loring	Term expires 1976

Commissioners meet on second Tuesday of the month
Whitcomb Station, Massachusetts Avenue, West Acton
8 P. M.

Appointments by the Water Commissioners

Superintendent

Stephen W. Scribner	Term expires 1974
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Collector

Stephen G. Peterson	Term expires 1974
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Accountant

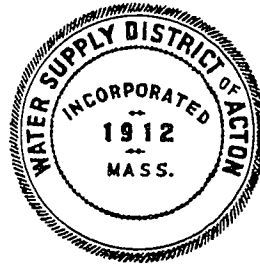
Mrs. Beryl B. Silva	Term expires 1974
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Attorney

Charles E. Orcutt, Jr.	Term expires 1974
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COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.



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

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

Whitcomb Station of the Water Supply District
Massachusetts Avenue (Route 111), West Acton

on MONDAY, MARCH 4, 1974

at 12:00 o'clock noon;

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

Moderator for one year, one commissioner for three years, treasurer for one year, and clerk for one year.

The polls will open at TWELVE O'CLOCK, NOON, and close at EIGHT O'CLOCK P. M.

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

Acton-Boxborough Regional Junior High School Auditorium
Charter Road, West Acton

on WEDNESDAY, MARCH 20, 1974

at 7:30 o'clock, P. M.

Then and there to act on the following articles:

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

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

ARTICLE 3. To see if the District will vote to authorize the Treasurer, with the approval of the Commissioners, to borrow in anticipation of the revenue for the financial year beginning July 1, 1974, in accordance with provisions of General Laws, Chapter 44, Section 4, and to renew any note or notes as may be given for a period of less than one year, in accordance with the provisions of General Laws, Chapter 44, Section 17, or take other action relative thereto.

ARTICLE 4. To see if the District will vote to instruct the Commissioners to have an audit of the various accounts of the District or act anything thereon.

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

ARTICLE 6. To see if the District will vote to authorize the Commissioners to enter into a written agreement with Assabet Sand & Gravel Company, Inc., a Massachusetts corporation having a usual place of business in Acton, Massachusetts, regarding the removal of overburden and required landscaping incident thereto on land owned by the District located off Powder Mill Road and New High Street in said Acton, and subject to the terms and conditions of a permit from the Acton Board of Appeals, if applicable.

Said agreement to be for one year and subject to the prior approval of the Department of Public Health, Commonwealth of Massachusetts. Said agreement shall also contain whatever terms, restrictions, conditions or limitations the District or Board of Selectmen, or both, deem necessary to protect the interests of the District and the Town. The District is to be reimbursed by Assabet Sand & Gravel Company, Inc., under the terms of said agreement, or to take any other action relative thereto.

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

119, of the General Laws.

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

Given under our hands this twenty-ninth day of January, in the year one thousand nine hundred and seventy-four.

KEVIN B. SWEENEY
ALVIN R. PIPER
HARLAN E. TUTTLE

Water Commissioners

REPORT OF THE COMMISSIONERS

The Commissioners of the Water Supply District of Acton make the following report:

At this time we would like to thank the Water District Study Committee and the Bylaw Committee for their hard work and reports. One of our main concerns at this time is that we will not be able to follow the recommendations of these committees. Both committees in their reports recommended that the annual meeting of the Water Supply District be held at the second session of the Annual Town Meeting. The Annual Town Meeting now being held in May prevents the annual meeting of the District by legislative prohibition. Chapter 39, Section 9, as amended in 1969, permits towns to hold their annual meetings in February, March, April or May. However, the annual meeting of our District is regulated by Chapter 41, Section 119, which permits the annual meeting and elections to be held in February, April or March. Accordingly, the District may not hold its annual meeting and elections in May, 1974, to coincide with the Acton Town Meeting.

In 1972 we proposed to and asked the people of the District to accept many changes and new plans. In 1973 we felt gratified that the people of the District put their confidence and faith in their Commissioners and voted for the plans we made in 1972. In so doing, the District has taken giant steps towards implementing and following the Master Plan.

To implement the Master Plan we asked for a program for levying Demand Charges. The following schedule is now in force:

<u>Pipe Size</u>	<u>Demand Charge</u>
3/4 Inch	\$ 300.00
1 Inch	630.00
1-1/4 Inch	1,140.00
1-1/2 Inch	1,860.00
2 Inches	3,960.00
Over 2 Inches	5,000.00
Sprinkler	2,500.00
Multi Dwelling	200.00/apt.

Cost of installation service will be charged to applicant separate of demand charge. Costs will be paid before water is turned on.

(Hydrant rental - \$75 per year per hydrant on private property.

Sprinkler rental - \$100 per year per store in complex.)

In 1972 we were negotiating for reservoir sites. In 1973 we were successful with the vote of the District to consummate our negotiations and purchase the number one site of the Master Plan. This we felt was our most important project of 1973. This certainly helps our storage problem, but more importantly it gives us better pressure and fire protection in a section of the town where it is greatly needed.

Our supply needs were also supplemented by the location of a permanent well site on the Erikson land, which the District acquired in November of 1973.

All of these plans have helped the District store and distribute good clean water to the people of Acton, but in today's economy they have come at a very high price. We the Commissioners have agreed at this time not to raise water rates, but in doing so realize that our annual gain in the next few years will not be as significant as in the past.

We would like to thank again the Finance Committee for its careful long-range study in helping us with the needs of the District.

We thank all the Town of Acton officials who have been so cooperative and willing to meet and work with us.

We submit herewith the estimated budget for the fiscal year July 1, 1974 - July 1, 1975:

Estimated Receipts

Hydrants	\$ 32,550	
Water Rates	279,000	
Sprinklers	4,400	
Repairs & New Installations	50,000	
Assabet Sand & Gravel Company	26,000	
Contract - Community Concepts	<u>33,720</u>	
		\$425,670

Estimated Expenditures

Group Insurance	\$ 5,200	
Bonds & Interest	211,680	
Salaries & Wages	102,500	
Equipment Rental	1,500	
Light, Power & Telephone	24,000	
Fuel	1,000	
Maintenance & Operation	27,000	
Miscellaneous	3,000	
Middlesex County Retirement	5,000	

Mass. State Audit	\$ 2,000	
Land Survey	2,000	
Legal Expenses	9,000	
Land Appraisal	1,000	
Engineering Expense	5,000	
Insurance	5,000	
Meters	8,500	
Auto & Equipment Expense	5,000	
Reserve Fund	<u>20,000</u>	
		\$438,380

KEVIN B. SWEENEY
ALVIN R. PIPER
HARLAN E. TUTTLE

Water Commissioners

REPORT OF THE FINANCE COMMITTEE

The voters of the District might find it helpful to know the relationship of receipts and expenditures in the budget.

The estimated expenditures are the amounts that the Commissioners feel are necessary to operate the District for the next fiscal year. These amounts must be met by:

1. Estimated receipts.
2. An appropriation from free cash.
3. If estimated receipts and free cash are not sufficient, by an increase in the water rates, or
 - a) inclusion of any amount needed in the general tax levy of the Town.

The estimated receipts figure may not, without special permission of the Department of Corporations and Taxation be larger than the previous year's receipts. So, in a sense the Commissioners have to contend with the problem of meeting increasing costs in a coming year, with the revenues of a past year. This year it will probably be necessary to make an appropriation from free cash to meet the budget.

Any increases in this year's budget have been modest, with the exception of the Bonds and Interest Account. This account reflects the first full year's interest and principal payment on the bonds used to pay for the Nagog Hill standpipe and transmission line, and the Erikson land and well.

FREDERICK H. BUBIER
ROBERT E. NELSON
DONALD L. LORING

Finance Committee

REPORT OF THE SUPERINTENDENT

The following report covers the activities of the District for 1973.

New installations for 1973 numbered 75. Old house services repaired or renewed numbered 40, plus 177 old meters replaced with new outside readers, which now gives the District approximately 50% with the new outside readers.

The water main tie-in on Main Street to the school complex and Hayward Road was completed this year.

Developers have installed water mains in the following streets: Tuttle Drive Extension, Driftwood Road, Putnam Road, Crescent Street, and at the Village of Nagog Woods.

Total number of hydrants as of January 1, 1974 - 659.

I would like to express my thanks to the Fire Department and the Highway Department, as well as all others who assisted us during the past year.

STEPHEN W. SCRIBNER
Superintendent

REPORT OF THE COLLECTOR

Outstanding January 1, 1973	\$ 15,319.03	
Charges	413,071.98	
Refunds	327.97	
State Audit Adjustments	<u>2,163.29</u>	\$430,882.27
Payments to Treasurer	\$402,096.73	
Abatements	471.87	
State Audit Adjustments	60.92	
Outstanding January 1, 1974	<u>28,252.75</u>	<u>\$430,882.27</u>
Assessed Valuation of District		\$118,570,805.00

STEPHEN G. PETERSON
Collector

REPORT OF THE DISTRICT ACCOUNTANT

The appropriations voted by the District covered the 18-month period, January 1, 1973 to June 30, 1974, inclusive. Submitted herewith is a report of the expenditures covering the first 12 months, showing balances on hand December 31, 1973.

<u>Account</u>	<u>Appropriated</u>	<u>Balance</u>
Reserve Fund	\$ 10,000.00	\$ 8,185.04
Group Insurance	7,800.00	3,294.46
Bonds and Interest	173,737.00	81,354.00
Equipment Rental	2,800.00	2,114.00
Salaries and Wages	134,750.00	43,551.28
Lights, Power and Telephone	30,000.00	9,631.54
Auto and Equipment Expense	6,200.00	2,467.35
Fuel	1,600.00	796.89
Maintenance and Operation	42,000.00	11,506.78
Insurance	5,470.00	1,022.91
Miscellaneous	3,700.00	861.45
Meters	19,500.00	11,837.49
Middlesex County Retirement	7,300.00	641.00
Massachusetts State Audit	6,400.00	6,347.00
Legal Expenses	18,000.00	4,336.32
Land Survey	3,000.00	942.55
Land Appraisal	2,000.00	500.00
Engineering Expenses	7,500.00)	
(reserve fund transfer)	2,000.00)	550.46

Special Appropriations

Assabet Well #1 (OSB 1/1/73)	32.32	32.32
Assabet Well #2 (OSB 1/1/73)	872.58	270.19
Main Street Ext. (OSB 1/1/73)	8,632.04	5,249.91
Survey for New Water Supply (OSB 1/1/73)	27,479.05)	
(reserve fund transfer)	178.93)	-0-
Truck #1 (OSB 1/1/73)	542.94	384.94
Radio Base Station (OSB 1/1/73)	172.50	172.50
Standpipe Repairs (OSB 1/1/73)	717.05	239.00
Jr. High Extension (OSB 1/1/73)	5,460.13	-0-
Great Rd. Rte. 2A (OSB 1/1/73)	49,653.06	33,240.19
Elm Court Extension (OSB 1/1/73)	2,500.00	2,500.00
Purchase of Erikson Land	80,000.00	-0-

	<u>Debt Account</u>	<u>Water Main and Land Purchase Loans</u>
Net Funded or Fixed Debts	\$785,000.00	
		1963 \$100,000.00
		1970 10,000.00
		1970 70,000.00
		1970 151,000.00
		1971 104,000.00
		1972 270,000.00
		1973 80,000.00
	\$785,000.00	\$785,000.00

BERYL BANCROFT SILVA
District Accountant

REPORT OF THE TREASURER

Middlesex Bank Balance, January 1, 1973	\$ 94,284.70
Deposits	<u>477,935.52</u>
	\$572,220.22
Disbursements on Commissioners' Orders	<u>410,281.43</u>
Bank Balance, December 31, 1973	\$161,938.79

National Shawmut Bank Balance, January 1, 1973	\$ 89,137.96
Deposits	- 0 -
Disbursements on Commissioners' Orders	<u>53,712.87</u>
Bank Balance, December 31, 1973	\$ 35,425.09

Bonds and Notes

Bonds Outstanding January 1, 1973	\$793,000.00
Bonds and Notes Paid	<u>88,000.00</u>
	\$705,000.00
Short Term Notes Issued in 1973	<u>80,000.00</u>
Bonds Outstanding, December 31, 1973	\$785,000.00

CARL R. GODFREY
Treasurer

REPORT OF THE ACTON WATER DISTRICT
BYLAW STUDY COMMITTEE

The Bylaw Study Committee met during the past year and recommends the following set of amended bylaws. We have included notes after some sections explaining our changes. We do not intend that these notes should be printed with the amended set of bylaws if they are adopted. All changes from the existing bylaws have been underlined.

BYLAWS OF THE WATER SUPPLY DISTRICT OF ACTON

- I The Annual Meeting of the Water Supply District shall be held on the first Wednesday following the second Monday of May of each year for the transaction of the necessary business connected with the district, and the election of officers shall be held on the first Monday of May of each year. The time and place of holding such election and vote shall be stated in the Warrant for the Annual Meeting and such election and vote shall be deemed part of the Annual District Meeting.

Note: It is not possible to implement this proposed Article I at the present time because Water Districts cannot legally hold their Annual Meetings in May. This is thought to be an oversight by the Legislature. If legislation passes to allow May meetings for Water Districts, and if the Commissioners still desire a joint May meeting with the Town of Acton, the above Article I can be voted at a future Special Meeting of the District.

We recommend that the Commissioners contact their legislators to initiate and support changes to allow Water Districts to hold their meetings during the same time period allowed for towns.

- 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. (No change.)
- III All Warrants shall be posted at least fourteen (14) days before the time of the meeting. (No change.)
- IV In the event that the Moderator is unable to preside for any reason, the Clerk shall preside at a meeting until a temporary moderator is elected by the meeting.

- V At each annual meeting there shall be elected by ballot the following officers: one Commissioner for a term of three years, a Clerk and a Treasurer for a term of one year, and a Moderator who shall serve for one year. Each officer shall serve until the next annual district meeting and until his successor is qualified. Each officer shall take office at the close of the annual meeting at which he was elected.
- 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. (No change.)
- VII The Board of Commissioners shall annually in the report to the District, give an estimated budget for the ensuing year. (No change.)
- VIII a) The Moderator shall appoint a Finance Committee to advise the Commissioners. The Committee shall consist of three voters of the District and shall be appointed in the following manner:
- One member shall be appointed for one year;
One member shall be appointed for two years; and
One member shall be appointed for a term of three years.
- Thereafter, each appointment shall be for a term of three years.
- b) No member of the Finance Committee shall serve any other standing committee of the District or the Town of Acton having to do with expenditure of funds.
- c) The Finance Committee shall review the budget for the annual meeting and shall make recommendations to the Commissioners on any matters of a financial nature arising out of an annual or special meeting, and shall make recommendations as to the long range fiscal plans of the District. (No change.)
- IX The duties of the Moderator and the conduct of the meeting, not specifically provided for by the General Laws of the Commonwealth, shall be determined by the rules of parliamentary law so far as apt contained in "Town Meeting Time" (A Handbook of Parliamentary Law), by Richard B. Johnson, et al. All motions which amend in whole or in part an article shall be

reduced to writing before being submitted to the meeting, if required by the Moderator. (New article.)

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

- I The purpose of the Bylaws hereinafter set forth are to regulate the nomination and election of officers for the District so that the voters of the District may have knowledge of the candidates prior to an election. (No change.)
- 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. (No change.)
- III No person's name shall be printed on the ballot unless he or someone in his behalf has submitted nomination papers signed by the number of registered voters of the District specified in Chapter 41, Section 115 of the General Laws 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.

Note: This coincides with Town requirements, one per cent of the vote cast for Governor in the last election. Alternate wording suggested by Counsel would be to specify the number of registered voters who must sign nomination papers, such as 100.

- III (Paragraph 2) Every nomination paper of a candidate for office in said District shall, before being filed, be submitted, on or before 5 o'clock in the afternoon of the Saturday preceding the day on which it must be filed to the Registrar of voters of the Town of Acton, who, shall forthwith certify thereon the signatures which are names of voters qualified to vote in the District. All nomination papers and certificates of nomination shall be filed with the Clerk of the District within the time allowed by the General Laws relating to filing nomination papers and certificates of nomination with the Town Clerk in Town elections.

Note: This coincides with Chapter 41, Section 115 of the General Laws. It means that completed nomination papers must be submitted to Town Clerk thirty days before the

election. Town Clerk then certifies the valid signatures and turns them over to the Clerk of the Water District twenty-eight days before the election.)

- IV Nothing herein shall be construed as preventing a vote by stickers or writing in the name of a candidate, all as provided in the General Laws, except that no such sticker or write-in candidate shall be deemed to be elected unless he has received valid votes equivalent to the number of signatures required on nomination papers as set forth in Article III.

Note: This changes the number of votes needed for a write-in candidate from 1% of registered voters in the District to 1% of the vote cast for Governor in the last election, and is an attempt to be consistent with Article III.

- V The Commissioners, acting as election officers, shall prepare as of twenty days prior to the Annual Election a list of eligible voters from the official voting list of the Town of Acton as of that time. This list shall then be reviewed and revised for all subsequent special meetings, up to the day of the special meeting. These lists shall then be used to determine the right of any person to vote at any election or any meeting of the District. (No change.)
- VI All candidates elected to offices in the District shall be sworn to the performance of their duties by the Clerk of the District, except in the case of the Clerk, who shall be sworn by any of the Commissioners. The Clerk shall make a record of the facts in the minutes of the meeting. (No change.)

BYLAWS COMMITTEE OF THE
ACTON WATER SUPPLY DISTRICT

William A. Deutschman, Chairman
Marion H. Maxwell, Secretary
Wilson Bursaw
Ormal Laffin
Theron Lowden
Frederick Kennedy
Steven Tague

WATER MEETING

Abstract of the proceedings of the annual meeting of the Water Supply District of Acton, held in Acton-Boxborough Regional High School Auditorium, Charter Road, West Acton

Wednesday, February 14, 1973, at 7:00 o'clock P.M.

ARTICLE 1. To elect by ballot a Moderator for one year, a Clerk for one year, a Treasurer for one year, and one member of the Board of Water Commissioners to serve for the term of three years, and to fix the salaries of same.

Total number of ballots cast: 53

The following were elected:

Commissioner for 3 years:

Harlan E. Tuttle	49
Blank	3
Other	1

Moderator for 1 year:

Milford B. Bottomley	51
Blank	2

Treasurer for 1 year:

Carl R. Godfrey	52
Blank	1

Clerk for 1 year:

Beryl B. Silva	49
Blank	3
Other	1

VOTED: To fix the salaries as follows:

Chairman of Commissioners	\$ 700 per year.
2 Commissioners	500 each, per year.
Treasurer	1,000 per year.
Moderator	15 per meeting.
Clerk	500 per year.

ARTICLE 2. VOTED: To accept the reports of the District officers.

ARTICLE 3. VOTED: To authorize the Treasurer, with the approval of the Commissioners, to borrow in anticipation of the revenue for the eighteen month period beginning January 1, 1973, in accordance with General Laws,

Chapter 44, Section 4, and acts in amendment thereof, and including in addition thereto, Chapter 849 of the Acts of 1969, as amended, by issuing a note or notes payable within one year, and to renew any note or notes as may be given for a period of less than one year in accordance with General Laws, Chapter 44, Section 17.

ARTICLE 4. VOTED: To instruct the Commissioners to have an audit of the various accounts of the District under the direction of the Commonwealth of Massachusetts.

ARTICLE 5. VOTED: To appropriate the receipts of the District for maintenance and operation of the District, and specific appropriations as follows:

Group Insurance	\$ 7,800.00
Bonds and Interest	173,737.00
Salaries and Wages	134,750.00
Equipment Rental	2,800.00
Lights, Power and Telephone	30,000.00
Fuel	1,600.00
Maintenance and Operation (materials and supplies)	42,000.00
Miscellaneous	3,700.00
Middlesex County Retirement System	7,300.00
Massachusetts State Audit	6,400.00
Land Survey	3,000.00
Legal Expenses	18,000.00
Land Appraisal	2,000.00
Engineering Expenses	7,500.00
Insurance and Rentals	5,470.00
Meters	19,500.00
Auto and Equipment Expense	6,200.00
Reserve Fund	10,000.00
Total	<u>\$481,757.00</u>

(Unanimous vote.)

ARTICLE 6. VOTED: (Amendment to the original motion), To delete the figure "8-in.", and substitute "6-in.". (Unanimous vote.)

VOTED: That the District extend the 6-inch water main together with hydrant and necessary fittings, a distance of 125 feet on Mohawk Drive from the end of the existing main, and the petitioner, Richard N. Howe, deposit with the District the sum of \$2,000.00, prior to the performance of any work, said deposit to be used to purchase material and engage a contractor to install the pipe and necessary fittings to complete the work described in this article. (Unanimous vote.)

ARTICLE 7. VOTED: That the District rescind the action taken under article 8 of the special District meeting of August 12, 1970. (Unanimous vote.)

ARTICLE 8. VOTED: To authorize the Commissioners to enter into a written agreement with ASSABET SAND & GRAVEL COMPANY, INC., a Massachusetts corporation having a usual place of business in Acton, Massachusetts, regarding the removal of overburden and required landscaping incident thereto on land owned by the District located off Powder Mill Road and New High Street in said Acton, and subject to the terms and conditions of a permit from the Acton Board of Appeals, if applicable.

Said agreement to be for one year and subject to the prior approval of the Department of Public Health, Commonwealth of Massachusetts. Said agreement shall also contain whatever terms, restrictions, conditions or limitations the District or Board of Selectmen, or both, deem necessary to protect the interests of the District and the Town. The District is to be reimbursed by ASSABET SAND & GRAVEL COMPANY, INC., under the terms of said agreement. (Unanimous vote.)

ARTICLE 9. MOTION: That the District amend the Bylaws by deleting Section One (1) in its entirety and substituting therefor the following:

The Annual Meeting of the Water Supply District shall be held on the third Wednesday of March of each year for the transaction of the necessary business connected with the District and the election of officers shall be held on the first Monday of March of each year. The time and place of holding such election and vote shall be stated in the Warrant for the Annual Meeting, and such election and vote shall be deemed part of the Annual District Meeting.

Total vote: 32. Yes, 19. No, 13. Needed to pass: 22.
Motion was defeated.

Motion for reconsideration made by Mr. F. H. Bubier, seconded by Mr. C. E. Orcutt.
Vote for consideration: Total vote: 39. Yes, 32. No, 7.

On reconsideration, the motion was accepted as presented, and so voted.
Total vote: 41. Yes, 34. No, 7. Needed to pass: 28.
Motion carried as originally presented.

ARTICLE 10. VOTED: That the District amend the Bylaw to Regulate the Nomination and Election of Officers of the District by deleting from Section Five (5), the words, "shall prepare as of January 1 in any year", and by adding in place thereof, the following words: "shall prepare as of twenty days prior to the Annual Election".

Total vote: 29. Yes, 20. No, 9. Needed to pass: 20. Motion carried.

ARTICLE 11. VOTED: That the District amend the Bylaws by deleting Section Three (3) in its entirety and substituting therefor the following: "All warrants shall be posted at least fourteen (14) days before the time of the meeting."

Total vote: 35. Yes, 34. No, 1.

RESOLUTION. VOTED: That the Water Commissioners insert an article at the next meeting of the District to change Bylaw III of the "Bylaws to Regulate The Nomination and Election of Officers of the District", so that nomination papers for officers of the Water District will be filed no later than the third Monday of February, or that the deadline coincide with the deadline of the Town. (Unanimous vote.)

Voted to adjourn: 10 P.M.

A true copy.

Attest:

BERYL BANCROFT SILVA
District Clerk

WATER MEETING

Abstract of the proceedings of the special meeting of the Water Supply District of Acton, held in Acton-Boxborough Regional Junior High School Auditorium, Charter Road, West Acton

Wednesday, November 28, 1973, at 7:30 o'clock P.M.

ARTICLE 1. VOTED: That the District acquire by purchase, or take by eminent domain, for water supply purposes and for the use and protection of public water supply sources the following:

A certain parcel of land situated in Acton, Middlesex County, Massachusetts, and being shown as Lot D on a plan entitled, "Plan of Land in Acton, Mass. and Boxborough, Mass., owned by Mildred L. Erikson", by Acton Survey & Engineering, Inc., dated November 23, 1973, and bounded and described as follows:

- NORTHEASTERLY by Massachusetts Avenue (Route 111), as shown on said plan, by two courses measuring six and 38/100 (6.38) feet and one thousand forty-three and 64/100 (1,043.64) feet;
- EASTERLY by Lots 13A, 12A, and 11A, as shown on said plan, four hundred fifty-six and 40/100 (456.40) feet;
- EASTERLY by Lots 11A and 10A, as shown on said plan, two hundred six and 65/100 (206.65) feet;
- EASTERLY by Lots 10A and 9A, and land of Eugene P. & Mary B. Tagney, as shown on said plan, two hundred eighty-seven and 75/100 (287.75) feet;
- NORTHEASTERLY by land of Eugene P. & Mary B. Tagney and John C. & Carolyn A. Inman as shown on said plan, two hundred and thirty-three and 49/100 (233.49) feet;
- NORTHEASTERLY by land of John C. & Carolyn A. Inman, John W. & Rita E. MacDonald, John W. & Barbara C. Hall, a proposed way, and land of Michael S. & Lelah M.

Willoughby, as shown on said plan, four hundred ninety-five and 16/100 (495.16) feet;

SOUTHERLY & SOUTHEASTERLY by land of Jonathan Avery and Ormal S. & Mary M. Laffin, as shown on said plan, by five courses measuring thirty-six and 22/100 (36.22) feet, sixty-four and 26/100 (64.26) feet, eighty-five and 66/100 (85.66) feet, fifty-two and 49/100 (52.49) feet and thirty-nine and 43/100 (39.43) feet, respectively;

SOUTHWESTERLY by Lot B, as shown on said plan, one thousand nine hundred forty-six and 16/100 (1,946.16) feet;

NORTHWESTERLY by the Boxborough-Acton (approximate) Town Line, as shown on said plan, one thousand fifty-three and 43/100 (1,053.43) feet.

Also five (5) certain parcels of land shown on above referred to plan as Lots 9A, 10A, 11A, 12A and 13A, said lots also being shown on a plan entitled "Plan of Land in Acton, Mass., Showing Corrected Lot Lines" dated March 5, 1960, Joseph W. Moore, Inc., Registered Land Surveyor, recorded in Book 9563, Page 75.

Together with the benefit of the right to use the streets and ways, being Birch Ridge Road, Juniper Ridge Road, Cherry Ridge Road and an unnamed way running from the granted premises to Birch Ridge Road, located between land now or formerly of Hall and Willoughby, as shown on said plan first above referred to, for all purposes for which streets and ways are commonly used in the Town of Acton.

And to appropriate therefor the sum of \$80,000.00 and to authorize the Treasurer, with the approval of the Commissioners, to borrow said sum under the provisions of Chapter 44, Section 8, Subsection 3, of the General Laws, as amended. (Unanimous vote.)

ARTICLE 2. VOTED: To construct and install a gravel packed well on the Erickson land, voted under article 1, a pump house, and install a suitable pump and equipment; and also install a hydrant, necessary fittings and lay the necessary pipe to connect to the existing water main in Massachusetts Avenue, and to raise and appropriate the sum of

\$85,000.00 for said purpose and to authorize the Treasurer, with the approval of the Commissioners, to borrow said sum of \$85,000.00, if necessary, under the authority of Chapter 44 of the General Laws, as amended, in order to perform such work. (Unanimous vote.)

ARTICLE 3. VOTED: To appropriate \$66,250.00, for acquiring by purchase or eminent domain the fee in all of the land owned by Peter R. Whitcomb, located on Nagog Hill Road, Acton, Middlesex County, and shown on a plan entitled "Proposed Location, 3 Million Gallon Reservoir, Water Supply District of Acton," dated Sept., 1973, Dufresne-Henry Eng. Corp., Concord, Massachusetts, containing about 26.5 acres more or less, for the purpose of erecting on said land a three million gallon reservoir (Standpipe) and for water supply purposes and bounded and described as follows:

SOUTHWESTERLY by Nagog Hill Road, 714 feet, more or less;

WESTERLY by land now or formerly of Edward & Susan Alex, 1225 feet, more or less;

NORTHERLY by land of the Town of Concord, 682 feet, more or less;

EASTERLY by land now or formerly of Brewster Conant, 1830 feet, more or less;

SOUTHERLY by land now or formerly of Brewster Conant, 300 feet, more or less;

And that the Commissioners are authorized to acquire said land by purchase or eminent domain; and that to raise said appropriation of \$66,250.00 the Treasurer, with the approval of the Commissioners, is authorized to borrow said sum under the provisions of Chapter 44 of the General Laws, as amended, and issue bonds or notes of the District, payable in accordance with the provisions of said Chapter 44, as amended. (Unanimous vote.)

ARTICLE 4. VOTED: That \$540,000.00 is appropriated for construction of a three million gallon reservoir on land to be acquired under Article 3 of the warrant for this meeting, and \$240,000.00 is appropriated for constructing a water main of sixteen (16) inches or more in diameter from the reservoir along Nagog Hill Road to connect with the existing main on Main Street; that to raise these appropriations the Treasurer, with the approval of the Commis-

sioners, is authorized to borrow \$540,000.00 under General Laws, Chapter 44, Section 8, Subsection 4, as amended, and \$240,000.00 under General Laws, Chapter 44, Section 8, Subsection 6, as amended; and that the Commissioners are authorized to apply for and accept state and federal aid for the projects provided that the amounts authorized to be borrowed hereunder shall be reduced by the amounts of any state or federal construction grants. (Unanimous vote.)

ARTICLE 5. VOTED: To extend the existing water main from Main Street and install a water main together with hydrants and necessary fittings on Brook Street to Route 2A, thence, in a Northeasterly direction to Davis Road, a distance of approximately 4100 ft., and to raise and appropriate the sum of \$90,000.00 for said purpose, and to authorize the Treasurer, with the approval of the Commissioners, to borrow said sum of \$90,000.00, if necessary, under the authority of Chapter 44 of the General Laws, as amended.

Donald F. O'Grady, Raymond N. Peters, and Robert A. Peters, Partners doing business as Keystone Associates shall deposit the sum of \$90,000.00 with the Treasurer of the District, prior to the commencement of any work under this article; said deposit to be used to purchase materials, to engage a contractor to install pipe and necessary fittings to complete the work described, to pay for the cost of engineering, police and inspection expenses, and all other expenses incurred to complete the work under this article.

Total vote: 74. Yes, 66. No, 8. Needed to pass, 49.
Motion carried.

Voted to adjourn: 9:30 P.M.

A true copy.

Attest

BERYL BANCROFT SILVA
District Clerk.

BYLAWS

(as adopted and amended to February, 1973)

- I The annual meeting of the Water Supply District shall be held on the third Wednesday of March of each year for the transaction of the necessary business connected with the District, and the election of officers shall be held on the first Monday of March of each year. The time and place of holding such election and vote shall be stated in the warrant for the annual meeting and such election and vote shall be deemed part of the Annual District Meeting.
- II All meetings may be called by a majority of the Board of Water Commissioners, directed to the Clerk, or as specified in Chapter 326 of the Acts of 1912, Section 8.
- III All warrants shall be posted at least fourteen (14) days before the time of the meeting.
- IV The Clerk shall preside at each meeting until a Moderator is chosen.
- V At each annual meeting there shall be elected by ballot, one Commissioner for a term of three years, a Clerk and a Treasurer for a term of one year, and a Moderator who shall serve for one year.
- VI If a vacancy should occur for any cause in the office of Clerk, Treasurer, or any other officer of the District except the Board of Water Commissioners, it may be filled for any such unexpired term by the Water Commissioners.
- VII The Board of Commissioners shall annually in the report to the District, give an estimated budget for the ensuing year.
- VIII a) The Moderator shall appoint a Finance Committee to advise the Commissioners. The Committee shall consist of three voters of the District and shall be appointed in the following manner:
 - One member shall be appointed for one year;
 - One member shall be appointed for two years; and
 - One member shall be appointed for a term of three years.

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

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

c) The Finance Committee shall review the budget for the annual meeting and shall make recommendations to the Commissioners on any matters of a financial nature arising out of an annual or special meeting, and shall make recommendations as to the long range fiscal plans of the District.

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

- I The purpose of the Bylaws hereinafter set forth are to regulate the nomination and election of officers for the District so that the voters of the District may have knowledge of the candidates prior to an election.
- II All elections to any office in the District shall be by means of a printed ballot. This ballot shall be caused to be printed by the Commissioners acting as election officers from information furnished to them by the Clerk of the District as provided hereinafter.
- III No person's name shall be printed on the aforesaid ballot unless he or someone on his behalf has filed with the Clerk of the District not later than five o'clock in the afternoon of the second Monday in January of any year, a petition signed by at least one percent (1%) of the registered voters in 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.
- IV Nothing herein shall be construed as preventing a vote by stickers or writing in the name of a candidate, all as provided in the General Laws, except that no such sticker or write-in candidate shall be deemed to be elected unless he has received valid votes equivalent to 1% of the total of the number of registered voters in the District, as hereinafter determined.

- V The Commissioners, acting as election officers, shall prepare as of twenty (20) days prior to the annual election, a list of eligible voters from the official voting list of the Town of Acton as of that time. This list shall remain closed until after the annual meeting of the District. The list shall then be reviewed and revised for all subsequent special meetings, up to the day of the special meeting. These lists shall then be used to determine the right of any person to vote at any election or any meeting of the District.
- VI All candidates elected to offices in the District shall be sworn to the performance of their duties by the Clerk of the District, except in the case of the Clerk, who shall be sworn by any of the Commissioners. The Clerk shall make a record of the facts in the minutes of the meeting.

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