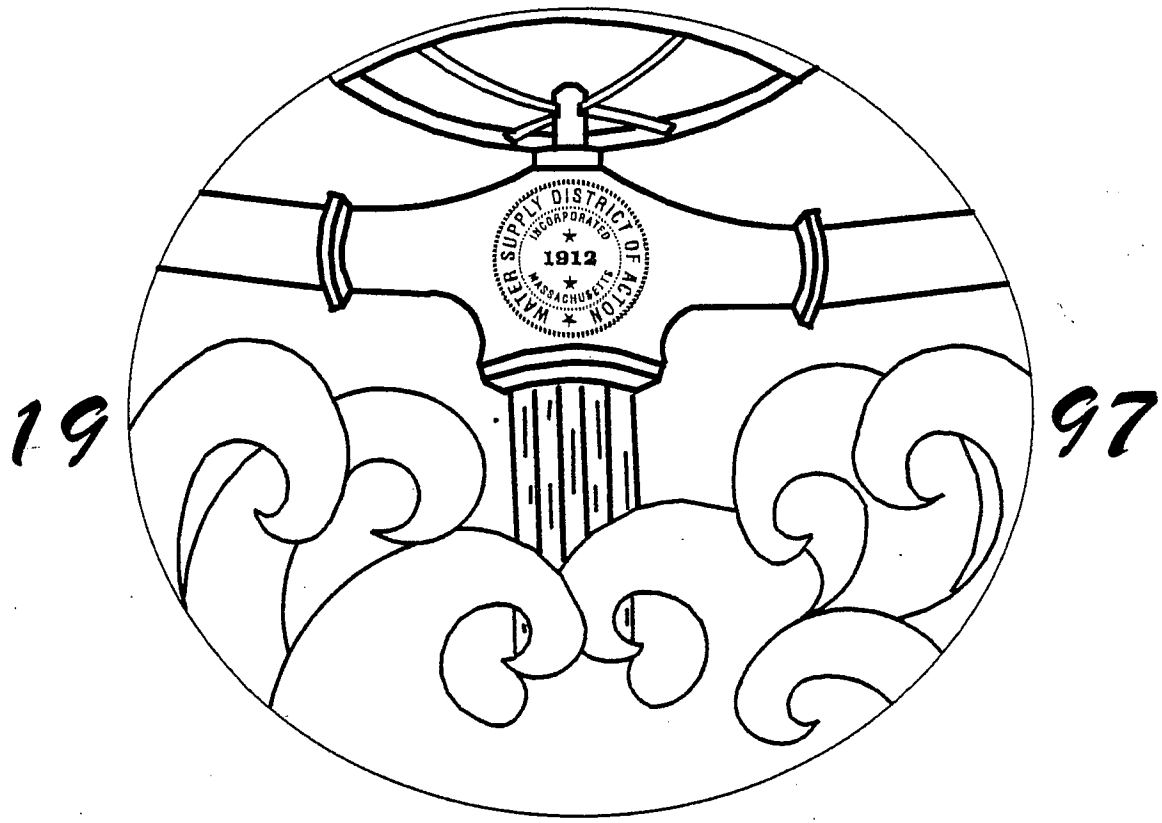


ANNUAL REPORT

FOR THE YEAR ENDING
DECEMBER 31, 1997

ACTON WATER



DISTRICT

WARRANT ARTICLES
FOR THE
ANNUAL MEETING
MARCH 18, 1998

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

WATER DISTRICT ORGANIZATION - 1997

ELECTED OFFICIALS

COMMISSIONERS

Ronald R. Parenti, Chairman	Term expires 1998
Stephen C. Stuntz	Term expires 1999
Leonard A. Phillips	Term expires 2000

CLERK

Jane Cutler	Term expires 1998
-------------	-------------------

MODERATOR

Richard P. O'Brien	Term expires 1998
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APPOINTED OFFICIALS

FINANCE COMMITTEE

Theodore Jarvis, Chairman	Term expires 1998
William Kingman	Term expires 1999
Charles Bradley	Term expires 2000

DISTRICT MANAGER

James L. Deming	Contract expires 1999
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TREASURER & COLLECTOR

Linda M. Larson	Term expires 1998
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DISTRICT COUNSEL

Mary Bassett-Stanford	Term expires 1998
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COMMISSIONERS SECRETARY

Debra A. Pyrro	
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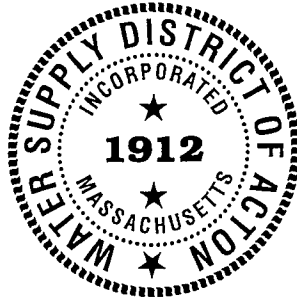
ACCOUNTANTS

Maureen Waters Mara, CPA, MST Scheid & Mara, P.C.	Term expires 1998
--	-------------------

WATER DISTRICT STAFF

Debra A. Pyrro	Secretary/A/P Bookkeeper
Helen F. Argento	A/R Bookkeeper/Secretary
Robert Koch	General Foreman
Stephen G. Peterson, Jr.	Assistant Foreman/Water Supply Treatment
Patrick DeCesare	Assistant Foreman/Water Distribution
Paul McGovern	Operator/Pump Stations
Ronald Davan Charles Rouleau	Operator/Distribution
Robert Murch	Backflow Technician/Computer Specialist

ACTON WATER DISTRICT



WARRANT

MARCH 18, 1998

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, Massachusetts Avenue

On **TUESDAY, MARCH 31, 1998**
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 18, 1998**
At 7:30 o'clock P.M.

Then and there to act on the following articles:

- ARTICLE 1.** To fix salaries of the elected officials.
- 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 of the fiscal year beginning July 1, 1998 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 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 \$75,000. for the maintenance and operation, carbon replacement and power costs at the various treatment plants operated by the District, or to take any other action relative thereto.
- ARTICLE 6.** To see if the District will vote to authorize the Treasurer, with the approval of the Commissioners to transfer to Surplus Revenue Account the following unexpended balances remaining after the completion of projects authorized by vote of the District.
- A. Unexpended balance in the sum of \$49,608.51 for project completed under Article #9 , of the Annual Meeting of March 19, 1997, which approved installing approximately 3600 feet of water mains and appurtenances along Route 2A.
 - B. Unexpended balance in the sum of \$692.18 for project completed under Article 16, of the Annual Meeting of March 20, 1996, which approved installing a new water main in the new proposed bridge in South Acton.
 - C. Unexpended balance in the sum of \$2862.18 for a feasibility study to determine the most effective method of treating the Whitcomb Well in West Acton for color.
 - D. Unexpended balance in the sum of \$1335.02 to replace the roof and some cement blocks on the Conant Pumping Station building, located off Main Street (Route 27) in Acton.
- ARTICLE 7:** To see if the District will vote to transfer from Surplus Revenue the sum of \$100,000. to continue the replacement of current water meters, or to take any other action relative thereto.
- ARTICLE 8:** To see if the District will vote to transfer from Surplus Revenue the sum of \$30,000. for the purpose of replacing old water mains, renewing numerous outdated water services from existing water mains to the property line; and to replace 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 the sum of \$12,000. to purchase a new compressor and associated tools, or to take any other action relative thereto.

- ARTICLE 10:** To see if the District will vote to transfer from Surplus Revenue \$6,000. to purchase various small tools, including but not limited to a 2" trash pump, pavement cutter, or to take any other action relative thereto.
- ARTICLE 11:** To see if the District will vote to transfer from Surplus Revenue the sum of \$25,000. to purchase a 4x4 pick-up with plow and utility body and to authorize the Commissioners to trade or sell a 1993 Ford Ranger, or to take any other relative action relative thereto.
- ARTICLE 12:** To see if the District will vote to transfer from Receipts Reserve for Appropriation Account (W.R. Grace settlement), the sum of \$245,000. to supplement the appropriation under Article 19 of the Annual Meeting March 19, 1997 to build a treatment facility for the Clapp and Whitcomb wells, or to take any other action relative thereto.
- ARTICLE 13:** To see if the District will vote to appropriate a bond not to exceed \$800,000. pursuant to M.G.L. c. 44, sec 8 for all construction costs, legal costs, bond issue expenses, publication expenses and other development costs associated with the new Conant II well and pumping station on property owned by the District located off Main Street (Route 27) in Acton, or to take any other action relative thereto.
- ARTICLE 14:** To see if the District will vote to transfer from Surplus Revenue \$25,000. to begin the implementation of SCADA system to monitor and control water quality and quantity at all well sites, or to take any other action relative thereto.
- ARTICLE 15:** To see if the District will vote to transfer from Surplus Revenue \$10,000. to replace the vacuum priming systems at Scribner, Marshall and Clapp wells, or to take any other action relative action thereto.
- ARTICLE 16:** To see if the District will vote to authorize the Commissioners to offer to eligible District employees, as an additional benefit, an employer contribution to the current employee retirement plan that matches a certain percentage of the employee contribution and to terminate or change the percentage of the contribution from year to year, or to take any other action relative thereto.

And you are directed to serve this Warrant by posting copies attested by you in two or more public places in the Water District, fourteen days at least before the time of said meeting as by Chapter 41, Section 199 of the General Laws.

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

Given under our hands this second day of February in the year one thousand nine hundred and ninety-eight.

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

A true copy, ATTEST:

Jane Cutler
District Clerk

FY98 Appropriation & Six Month Expenses
 FY99 Anticipated Appropriation & Revenue

Account Name	FY98 Appropriation	Six Month Expenses	FY99 Appropriation
Expense			
Accounting	\$5,000.00	\$0.00	\$5,000.00
Audit	\$13,000.00	\$13,000.00	\$13,500.00
Auto Maint/Fuel	\$16,500.00	\$3,710.60	\$16,500.00
BackFlow/CrossConn	\$5,000.00	\$1,305.45	\$5,000.00
Bank Fees	\$1,000.00	\$5.00	\$1,000.00
Bonds,Interest,Fees	\$276,275.00	\$25,137.50	\$351,350.00
Chemicals	\$38,000.00	\$24,108.16	\$38,000.00
Computer Maintenance	n/a	n/a	\$15,000.00
DEP Withdrawal Fees	\$6,000.00	\$4,358.31	\$6,000.00
Educational Expenses	\$9,000.00	\$4,442.76	\$9,000.00
Engineering	\$10,000.00	\$973.22	\$10,000.00
Equipment Rental	\$3,000.00	\$0.00	\$3,000.00
Health & Life Insurance	\$110,000.00	\$45,200.74	\$110,000.00
Hydrants	\$10,000.00	\$1,535.39	\$10,000.00
Insurance	\$35,000.00	\$26,659.80	\$32,000.00
Laboratory Analysis	\$11,000.00	\$4,011.50	\$11,000.00
Legal	\$20,000.00	\$9,811.45	\$20,000.00
Lights,Power,Fuel	\$115,000.00	\$66,021.94	\$115,000.00
Maintenance & Operation	\$85,000.00	\$49,416.51	\$90,000.00
MDX County Retirement	\$50,500.00	\$24,399.50	\$57,500.00
Meters	\$15,000.00	\$218.07	\$2,000.00
Office Supplies	\$12,000.00	\$8,301.26	\$14,000.00
Permanent Paving	\$12,000.00	\$43,934.15	\$12,000.00
Petty Cash/Mics.	\$1,000.00	\$160.02	\$1,000.00
Postage	\$10,000.00	\$3,944.19	\$6,000.00
Reserve Fund	\$30,000.00	\$27,970.15	\$30,000.00
Salaries & Wages	\$550,000.00	\$276,940.78	\$583,000.00
Telephone	\$18,000.00	\$9,639.34	\$20,000.00
Water Words Notice	\$2,000.00	\$766.00	\$2,000.00
	\$1,469,275.00	\$675,971.79	\$1,588,850.00
Revenue			
Water Rates	\$1,303,150.00	\$820,218.86	\$1,349,930.00
Sprinklers	\$14,125.00	\$14,500.00	\$14,500.00
Rent/Lease	\$32,000.00	\$15,566.40	\$54,420.00
Repairs/Installation & Cross Connections	\$20,000.00	\$18,915.55	\$30,000.00
Demand Fees	\$100,000.00	\$131,030.00	\$140,000.00
	\$1,469,275.00	\$1,000,230.81	\$1,588,850.00

**Report of the Treasurer/Collector
FY97
Audited Account Balances
As of June 30, 1997**

Fleet Bank Checking	51,367.05	
Fleet Savings Account	<u>33,308.99</u>	
Total:		84,676.04
 MMDT Interest Account	 <u>1,023,994.57</u>	
Total:		1,023,994.57
 MMDT W.R.Grace Accounts payable	 <u>90,464.55</u>	
Total:		90,464.55
 Middlesex Savings Account	 <u>34,855.24</u>	
Total:		34,855.24
 Bank Boston Savings	 10,851.07	
Bank Boston CD	<u>100,000.00</u>	
Total:		<u>110,851.07</u> \$1,344,841.47

**Report of the Collector
FY97
Audited Account Balances
As of June 30, 1997**

Outstanding June 30, 1996	44,682.52	
Charges	1,785,097.28	
Interest Charges	5,514.48	
Refunds	<u>215.83</u>	
Total:		\$1,835,510.11
 Payments	 1,783,011.30	
Abatements	2,817.09	
Adjustments	18.00	
Outstanding June 30, 1997	<u>49,663.72</u>	
Total		\$1,835,510.11
 History of Charges FY94	 1,824,917.77	
FY95	1,665,186.67	
FY96	1,878,049.40	
FY97	1,785,097.28	

Respectfully submitted:
Linda M. Larson
Treasurer/Collector

**REPORT OF THE COMMISSIONERS
FOR 1997**

The Commissioners are pleased to make the following report for fiscal year 1997 to the residents of the Acton Water District.

During the past 12 months the District has continued to improve and modernize its distribution system, which supplies water to approximately 6,500 homes and businesses within the Town of Acton. The source of this supply is a network of ten wells situated on the most productive aquifers within the Town's boundaries, the collective capacity of which is in excess of 3 million gallons per day. The locations of these facilities are shown in Figure 1. Eight of these wells include treatment facilities designed to improve water quality. To reduce diurnal fluctuations in pressure and provide a reserve capacity in the event of fire, water main breaks, or other emergencies, the District also operates four storage tanks with a total capacity of 8.5 million gallons. Presently, over 100 new services are added to the system each year, and the District has responded to this population growth by developing an additional well site (Conant #2) and adding approximately 3,500 feet of transmission main to improve service in North Acton.

In an effort to control maintenance and operation costs as the system continues to expand, the District strives for a high level of automation through state-of-the-art computer hardware and office-management software. Planned improvements include the implementation of a data telemetry system that will permit each of the wells to be remotely monitored and controlled, and the replacement of manually-read service meters with devices that can be remotely accessed via radio transmitters.

Two major policy changes were implemented in the past year in response to requests from residents. The first relates to the price of water, which for many years has been set at a flat rate of 2¢ per cubic foot. In February, 1997 the Commissioners approved a progressive rate structure that is intended to assist elderly residents, who are typically low-use customers, as well as reward conservation efforts by the general public. As indicated by the use histogram in Figure 2, the typical household consumes between 5,000 and 10,000 cubic feet of water in an average six-month period. The District now bills at a rate of 1.5¢/cu. ft. for the first 500 cubic feet, and increments the rate to a maximum of 2.5 ¢/cu. ft. in three steps. This rate structure will be subject to periodic review to ensure that the dual goals of water conservation and adequate revenue are

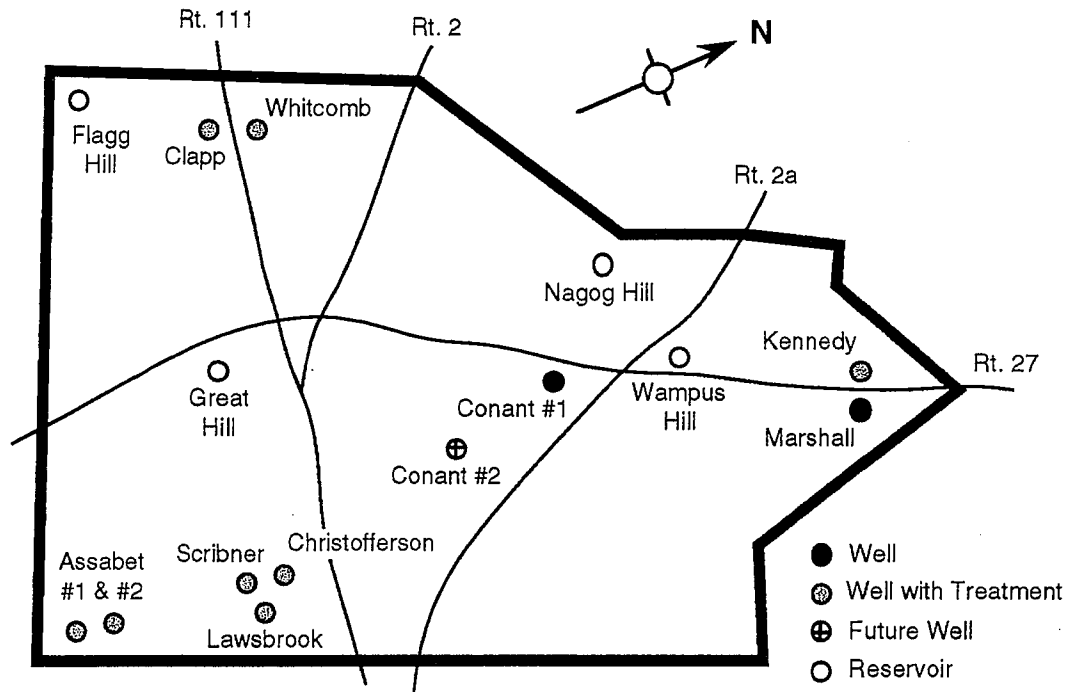


Figure 1. Water source map for the Acton Water District.

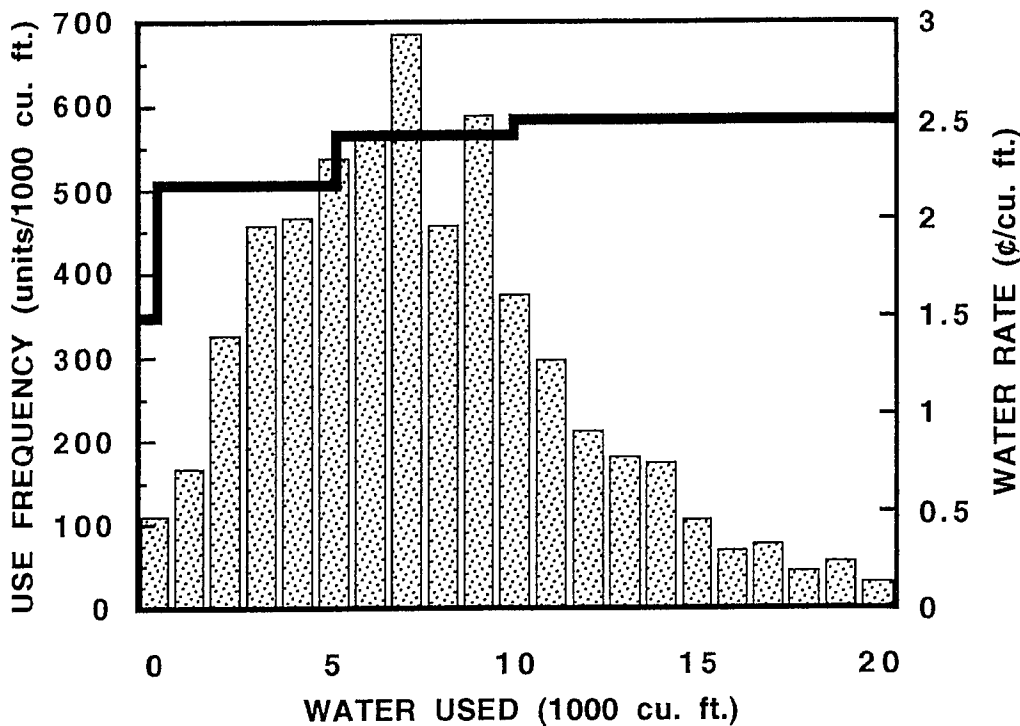


Figure 2. Frequency-of-use histogram for an average six-month billing period. Also shown is the new water rate structure (right-hand vertical axis) which increases in 4 steps from 1.5¢/cu. ft. to 2.5¢/cu. ft.

being achieved. It is anticipated that most families will pay about \$250 for water in 1998, which is approximately the same as last year's average bill.

In second major policy change approved by the Commissioners in September, the moratorium on underground lawn sprinkler systems instituted in 1988 was rescinded. This revision is primarily the result of recent improvements in sprinkler technology, which enables features such as odd/even day programming and automatic flow termination during periods of rain. The new regulations require all new and existing sprinkler systems to include odd/even-day timers, moisture sensors, and suitable backflow prevention devices.

One final issue relating to policy and revenue collection is worthy of discussion. Since the District owns several parcels that are well suited for cellular telephone antennas, it has recently been approached by representatives from several telephone companies. The Commissioners believe that it is in the public interest to consider such requests because of the opportunity for additional income, as well as the fact that a large number of Acton residents directly benefit from local cellular phone service. Two companies currently share an antenna near the storage tank

on Great Hill, which provides an annual income to the District of \$14,400. All such agreements are predicated on a favorable ruling from the Town's Board of Appeals, as well as the formal approval of the voters at a Water District Meeting.

The Commissioners wish to thank the District Manager, Jim Deming, for his outstanding performance this year. The services of the Treasurer/Collector Linda Larson and the Commissioner's secretary Pamela Sullivan are also gratefully acknowledged. The Finance Committee is congratulated for their excellent job in managing the District's accounts and controlling expenditures.

Special recognition is made of the contributions of the District's Superintendent, Carleton Troupe, who retired last year after 19 years of service.

Respectfully submitted

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

REPORT OF THE DISTRICT MANAGER

The following report covers the activities of the District for 1997.

New installations	100
Old service lines replaced or renewed	8
Old meters replaced with new meters	330
Repair of water mains and service breaks	31
Repair or replacement of fire hydrants	14

New water mains installed in 1997

Loosestick Way
Settlement Way
Old Cart Path
Sweetbriar Way
Wheel Wright Lane
Brimstone Lane
Guswood Road Extention
Tupelo Way

Total gallons pumped in 1997 - 677,372,000

Report of the District Manager

As Acton continues to grow and develop, one of the ongoing challenges faced by the Acton Water District is the need to fill an ever increasing demand for water by all of our users. Our ability to supply water is limited to the sources that we have, and to mother nature's discretion as to how quickly those sources are replenished.

While the overall per capita usage in the District remains quite low, and a testament to the conservation mindedness of our users, the demand increases dramatically in the summer months.

The District's water use restrictions which are in effect every year from May 1 thru October 1, try to curb this demand in such a way that allows everyone the opportunity to use some water for outside purposes. By limiting the use of outdoor watering to the odd side of the street on odd numbered days and the even side of the street on even numbered days, it is our hope that only in the worst of situations would we need to institute more dramatic restrictions. Everyone's cooperation is needed, and appreciated, in this effort.

The graphical representation of historical usage on the following page shows how demand is increasing every year due primarily, to an increase in new housing units. It is this continual increase that makes compliance with our restrictions so important.

In an effort to keep up with the increased demand for water, the District will be bringing the Conant II wellsite on line later this year. While not a particularly large source, this well should give us another 300,000 gallons per day. This is one of the final two (2) or three (3) remaining sites within the town that have any potential for development as a public water supply.

We will continue to pursue all possible new sources of supply, however, the best way to insure that everyone's needs are met, is to decrease the demand. That can only be accomplished with the continued efforts of all users.

I would, once again, like to take this opportunity to thank all of the town departments and their employees, for their continued cooperation over this past year. I would particularly like to single out Mr. Dick Howe and the highway department. While it has been my good fortune to work with Mr. Howe for only a year and a half of his some four decade tenure with the town, it is obvious that his contributions will be missed. His cooperation has made my job, and my predecessors jobs, much more enjoyable. All of us at the District wish him the best in his retirement years.

I would also like to thank the District Commissioners, the Finance Committee, District Council, and all of the District employees for their continued support and cooperation throughout the past year.

James L. Deming
District Manager

Annual Report of the Finance Committee for 1997

The moderator appoints the AWD Finance Committee. The Committee reviews the budget, makes recommendations on financial matters to the District Commissioners, District Treasurer, and the District Manager and monitors the financial activities of the District. The committee makes a recommendation to the Commissioners on all financial and budget activities that are discussed at their meetings. One member of the Committee attends each of the Commissioners meetings.

In January 1997, the Commissioners approved a new water rate schedule an "inclining block rate structure", that will reduce the cost to low water users and increase the cost for high water users, while maintaining adequate revenue to the District. This new rate structure will reward customers for conserving water, an increasingly precious commodity. In addition, the District continues to receive revenue from the demand fees for the new service connections at the rate of approximately 100 per year.

The installation of new automated water meters has improved the reading of the water meters and the District has installed 637 new remote radio read meters. The new meters will continue to be installed over the next several years as funds are approved by the District voters.

At the end of the year there was an unexpended balance of \$49,608.51 in the Route 2A water main extension budget. The balance will be transferred to Free Cash at the annual District meeting in March 1998. Free Cash was certified by the State on October 27, 1997 at \$763,369.99.

During the winter of 1997 the Portfolio Managers of the W.R. Grace Investment Account Fund left to start their own company. The Finance Committee interviewed three qualified firms and in May 1997, selected Brown Brothers Harriman & Co., a 179 year old Private Banking and Investment Management company as the District's advisor for the Grace investment account. The market value of the account as of December 31, 1997 was \$2,798,955.91, which is an increase of \$288,556.91 during the past twelve months. Each year the income from this fund is used to pay for the cost of keeping the pollutants out of the Acton Water Supply.

Linda Larson, the Treasurer and Collector, continues to update the financial software of the District, providing the Commissioners, Committees, and Manager with more and timely information, which is greatly appreciated.

Jim Deming, the District Manager, not only brings knowledgeable and practical experience to his job, but also an understanding of the timeliness of cash flows to income and expenses, which is reflected in the strength of our yearly Free Cash balances.

Mary Bassett-Stanford, the District's Attorney, is also appreciated for providing wise counsel to the Committee if we stray from our financial obligations.

Maureen Waters Mara, Scheid & Mara, PC, who each year continually produce more informative Annual Audits to the Finance Committee, your recognition is well deserved.

Finally, a "Well Done" and "Thank You" to Debbie Pyrro for her faithful attendance and for preparing the minutes of the Finance Committee meetings.

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

WATER SUPPLY DISTRICT OF ACTON

FINANCIAL STATEMENTS

JUNE 30, 1997

WATER SUPPLY DISTRICT OF ACTON

FINANCIAL STATEMENTS

JUNE 30, 1997

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

SCHEID & MARA, PC
CERTIFIED PUBLIC ACCOUNTANTS

William E. Scheid, CPA
Maureen Waters Mara, CPA
Michael J. Walsh, CPA

Independent Auditor's Report

70 Junction Square Drive
Concord, MA 01742

TEL 508 369-9905
FAX 508 371-2931

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, 1997, 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, 1997, or the results of its operations or the changes in its fund balances for the year then ended.

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, 1997, 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
August 6, 1997

WATER SUPPLY DISTRICT OF ACTON
 COMBINED STATEMENT OF ASSETS, LIABILITIES AND FUND BALANCES-
 ALL FUND TYPES AND ACCOUNT GROUPS-STATUTORY BASIS
 JUNE 30, 1997

	GOVERNMENTAL FUND TYPE		FIDUCIARY FUND TYPE	ACCOUNT GROUP	TOTAL
	GENERAL FUND	CAPITAL PROJECTS	W.R. GRACE FUND	GENERAL LONG TERM DEBT	(MEMO ONLY)
ASSETS					
Cash	\$1,254,377		\$361,993		\$1,616,370
Investments			2,146,455		2,146,455
Accounts Receivable	49,664				49,664
Less Reserve For Uncollectible Receivables	(49,664)				(49,664)
Due From General Fund		\$382,773			382,773
Amount To Be Provided For Long Term Debt				\$750,000	750,000
TOTAL ASSETS	\$1,254,377	\$382,773	\$2,508,448	\$750,000	\$4,895,598
 LIABILITIES AND FUND BALANCES					
LIABILITIES					
Long Term Debt				\$750,000	\$750,000
Due to Capital Projects Fund	\$382,773				382,773
TOTAL LIABILITIES	382,773	0	0	750,000	1,132,773
 FUND BALANCES					
Unreserved	871,604				871,604
Reserved For Capital Projects		\$382,773			382,773
Reserved For W.R. Grace			\$2,508,448		2,508,448
TOTAL FUND BALANCES	871,604	382,773	2,508,448	0	3,762,825
TOTAL LIABILITIES AND FUND BALANCES	\$1,254,377	\$382,773	\$2,508,448	\$750,000	\$4,895,598

SEE ACCOMPANYING NOTES TO THE FINANCIAL STATEMENTS

SCHEID & MARA, PC
 CERTIFIED PUBLIC ACCOUNTANTS

WATER SUPPLY DISTRICT OF ACION
 COMBINED STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN
 FUND BALANCES - ALL GOVERNMENTAL FUND TYPES - STATUTORY BASIS
 FOR THE YEAR ENDED JUNE 30, 1997

	GENERAL FUND	CAPITAL PROJECTS	TOTAL (MEMO ONLY)
REVENUES			
Water Rates	\$1,422,060		\$1,422,060
Water Services	359,303		359,303
Interest Income	68,266		68,266
TOTAL REVENUES	1,849,629	0	1,849,629
EXPENDITURES			
Capital Project Expenditures		\$496,493	496,493
Salaries and Wages	523,630		523,630
Maturing Debt and Interest	338,575		338,575
Lights, Power and Fuel	87,852		87,852
Maintenance and Operations	85,000		85,000
Health and Life Insurance	82,900		82,900
Middlesex Retirement	49,271		49,271
Chemicals	24,673		24,673
Insurance	24,231		24,231
Auto, Maintenance and Fuel	15,745		15,745
Meters	15,000		15,000
Legal and Accounting	13,742		13,742
Telephone	13,169		13,169
Audit	13,000		13,000
Office Supplies	10,000		10,000
Engineering	9,908		9,908
Postage	9,750		9,750
Permanent Paving	8,000		8,000
Laboratory Analysis	7,267		7,267
Education Expense	5,500		5,500
Reserve Fund	5,220		5,220
D.E.P. Withdrawal	4,366		4,366
Cross Connection	1,243		1,243
Water Words Notice	1,046		1,046
Miscellaneous	818		818
TOTAL EXPENDITURES	1,349,906	496,493	1,846,399
Revenues Over (Under) Expenditures	499,723	(496,493)	3,230
Transfers Between Funds:			
General Fund to Capital Projects Fund	(686,570)	686,570	0
Capital Projects Fund to General Fund	33,827	(33,827)	0
Excess of Revenues Over (Under) Expenditures and Net Transfers	(153,020)	156,250	3,230
Fund Balance - Beginning of Year	1,024,624	226,523	1,251,147
Fund Balance - End of Year	\$871,604	\$382,773	\$1,254,377

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, 1997

	ACTUAL	BUDGET	VARIANCE FAVORABLE (UNFAVORABLE)
REVENUES			
Water Rates	\$1,422,060	\$1,324,776	\$97,284
Water Services	359,303	163,025	196,278
Interest Income	68,266	0	68,266
TOTAL REVENUES	1,849,629	1,487,801	361,828
EXPENDITURES			
Salaries and Wages	523,630	525,000	1,370
Maturing Debt and Interest	338,575	340,075	1,500
Lights, Power and Fuel	87,852	110,000	22,148
Maintenance and Operations	85,000	85,000	0
Health and Life Insurance	82,900	107,900	25,000
Middlesex Retirement	49,271	50,526	1,255
Chemicals	24,673	40,000	15,327
Insurance	24,231	45,000	20,769
Auto, Maintenance, and Fuel	15,745	18,000	2,255
Meters	15,000	15,000	0
Legal and Accounting	13,742	20,000	6,258
Telephone	13,169	18,000	4,831
Audit	13,000	13,000	0
Office Supplies	10,000	10,000	0
Engineering	9,908	10,000	92
Postage	9,750	10,000	250
Permanent Paving	8,000	8,000	0
Laboratory Analysis	7,267	10,000	2,733
Education Expense	5,500	5,500	0
Reserve Fund	5,220	30,000	24,780
D.E.P. Withdrawal	4,366	6,000	1,634
Cross Connection	1,243	4,000	2,757
Water Word Notice	1,046	1,800	754
Miscellaneous	818	1,000	182
Equipment Rent	0	3,000	3,000
Bank Fees	0	1,000	1,000
TOTAL EXPENDITURES	1,349,906	1,487,801	137,895
Revenues Over Expenditures	499,723	0	499,723
Net Transfers Between General Fund and Capital Projects Fund	(652,743)	(652,743)	0
Excess of Revenues Over (Under) Expenditures and Net Transfers	(153,020)	(652,743)	499,723
Fund Balance - Beginning of Year	1,024,624	1,024,624	0
Fund Balance - End of Year	\$871,604	\$371,881	\$499,723

SEE ACCOMPANYING NOTES TO THE FINANCIAL STATEMENTS

SCHEID & MARA, P.C.
 CERTIFIED PUBLIC ACCOUNTANTS

WATERBURY DISTRICT OF ROCKY
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES
IN FUND BALANCE - FIDUCIARY FUND TYPE - STATUTORY BASIS
FOR THE YEAR ENDED JUNE 30, 1997

	<u>W.R. GRACE FUND</u>
REVENUES	
Dividend and Interest Income	\$118,878
Net Gain On Investment Sales	<u>158,629</u>
TOTAL REVENUES	<u>277,507</u>
EXPENDITURES	
Maintenance and Operations	73,784
Investment Management Fees	<u>10,714</u>
TOTAL EXPENDITURES	<u>84,498</u>
Revenues over Expenditures	193,009
Fund Balance - Beginning of Year	<u>2,315,439</u>
Fund Balance - End of Year	<u><u>\$2,508,448</u></u>

SEE ACCOMPANYING NOTES TO THE FINANCIAL STATEMENTS

WATER SUPPLY DISTRICT OF ACTON
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 1997

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.

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.

WATER SUPPLY DISTRICT OF ACTON
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 1997

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

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

NOTE 2 - DEPARTURES FROM GENERALLY ACCEPTED ACCOUNTING PRINCIPLES

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

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

The District also uses the Commonwealth of Massachusetts' uniform reporting system whereby the costs of 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 - INVESTMENTS

The W. R. Grace Fund includes investments which are managed by the firm Brown Brothers Harriman and Co. The investments are carried at their lower of cost or market. At June 30, 1997, the investments had a cost basis of \$2,146,455 and a market value of \$2,433,922.

NOTE 4 - INTERFUND RECEIVABLE AND PAYABLE

At June 30, 1997, \$382,773 was due to the Capital Projects Fund from the General Fund.

WATER SUPPLY DISTRICT OF ACTON
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 1997

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

Budgets and Budgetary Accounting

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At June 30, 1997, \$382,773 was due to the Capital Projects Fund from the General Fund.

WATER SUPPLY DISTRICT OF ACTON
 NOTES TO THE FINANCIAL STATEMENTS
 JUNE 30, 1997

NOTE 5 - GENERAL LONG-TERM DEBT

General Long-Term Debt consists of the following obligations at June 30, 1997:

Description	Original Amount	Interest Rate	Date of Issue	Date of Maturity	Balance 6/30/97
Water Mains	\$625,000	6.39%	08/15/86	02/15/98	\$50,000
Walsh Rsrvr	<u>2,100,000</u>	6.70%	06/01/89	06/01/01	<u>700,000</u>
Total	<u>\$2,725,000</u>				<u>\$750,000</u>

During the year ended June 30, 1997, \$270,000 of principal and \$68,575 of interest were paid on the bonds, for a total of \$338,575. This total 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, 1997 are as follows:

Fiscal Year Ending June 30,	
1998	\$225,000
1999	175,000
2000	175,000
2001	<u>175,000</u>
Total	<u>\$750,000</u>

NOTE 6 - RETIREMENT PLAN

Substantially all employees of the District are members of the Middlesex County Retirement Fund. The retirement system is funded by both employer and employee contributions. The District's annual contributions to the retirement system are determined on a "pay-as-you-go" basis by the State Division of Insurance and are estimates of pensions actually payable during an accounting period. In addition, employees contribute 5%, 7%, 8% or 10% of their base pay depending on when they entered the system. The District's contributions for the year ended June 30, 1997, were \$49,271.

NOTE 7 - COMMITMENTS

The District has entered into certain contracts for the upgrading of water services and meters to existing homes, for improvements to existing water lines, and for extensions of water mains.

CONCLUDED.

SCHEID & MARA, P.C.
CERTIFIED PUBLIC ACCOUNTANTS

WATER SUPPLY DISTRICT OF ACTON
 SUPPLEMENTAL SCHEDULE OF CAPITAL PROJECTS FUND ACTIVITY - STATUTORY BASIS
 FOR THE YEAR ENDED JUNE 30, 1997

	BEGINNING BALANCE 06/30/96	TRANSFERS FROM GENERAL FUND	TRANSFERS TO GENERAL FUND	PAYMENTS MADE	ENDING BALANCE 06/30/97
Burster Machine	\$3,997				\$3,997
Check Encoder/Endorser 96	180			\$180	0
Clapp Whitcomb 97	0	\$15,000		14,303	697
Clapp/Whitcomb Color	953			375	578
Clean Flagg/Nagog 97	0	11,000		11,000	0
Clean Wells 94	2,024			2,024	0
Cleaning Wells 96	3,507			803	2,704
Computer Programs 94	297		\$297		0
Computer Programs 97	0	20,000		14,417	5,583
Conant II Pump Station 97	0	75,000			75,000
Conant Station Repairs 96	2,040			425	1,615
Conservation Plans Schools/Muni 96	5,000			4,800	200
Copy Machine 96	330			330	0
Dump Truck 97	0	22,000		21,900	100
Electronic Equipment 95	3,328			1,000	2,328
Ethan Allen Cement Repairs	1,496		1,496		0
Generator Kennedy 94	4,076		4,076		0
Great Road Plans 97	0	22,000		22,000	0
Hot Top Driveway Parking Lot 96	3,526			3,526	0
Large Meters 95	6,876			15	6,861
Leak Detection 94	3,000				3,000
Legal / Survey Nagog 94	3,985		3,985		0
Meter Reading Equipment 95	15,902			7,913	7,989
Meter Replacement 97	0	50,000			50,000
Office Building 10/94	5,776		88	5,688	0
Office Building 93	7,830			7,830	0
Office Completion 97	0	18,570	8	18,562	0
Power Lawsbrook Scribner	9,073		9,073		0
Protection Plan 94	9,040			9,040	0
Remodel Conference Room 96	801		2	799	0
Replace Meters 96	40,203			40,203	0
Replace Services/Hydrants 96	410			410	0
Septage Lagoons Monitoring	1,347		1,337	10	0
Sports Utility Vehicle 97	0	20,000		20,000	0
Storage Building Repairs 96	15,854			15,854	0
Tank Inspection 97	0	8,000	300	7,700	0
Telemetry 93	3,500			2,610	890
Trenching Box	8,685			6,246	2,439
Update Services 97	0	25,000		4,470	20,530
Water Main - Charter Road	11,626		11,626		0
Water Main - Robbins Street	1,536		1,536		0
Water Main - RTE 2A 97	0	400,000		210,292	189,708
Water Main/Bridge So Acton 96	26,500			25,808	692
Water Supply Plan 96	20,000			15,000	5,000
Whitcomb Power Update	3		3		0
Whitcomb Well Study	3,822			960	2,862
	<u>\$226,523</u>	<u>\$686,570</u>	<u>\$33,827</u>	<u>\$496,493</u>	<u>\$382,773</u>

SEE ACCOUNTANT'S REPORT

SCHEID & MARA, P.C.
 CERTIFIED PUBLIC ACCOUNTANTS

WATER SUPPLY DISTRICT OF ACTON
 SUPPLEMENTAL SCHEDULE OF W.R. GRACE FIDUCIARY FUND ACTIVITY-STATUTORY BASIS
 FOR THE YEAR ENDED JUNE 30, 1997

	BEGINNING BALANCE 6/30/96	APPROPRIATIONS PER ANNUAL MEEETING	EXPENDITURES OVER (UNDER) REVENUES	ENDING BALANCE 6/30/97
Maintenance and Operations	\$35,248	\$111,369	(\$73,784)	\$72,833
Air Stripper	11,857			11,857
Clapp Whitcomb Well	0	350,000		350,000
Unappropriated	2,268,334	(461,369)	266,793	2,073,758
	<u>\$2,315,439</u>	<u>\$0</u>	<u>\$193,009</u>	<u>\$2,508,448</u>

WATER MEETING

Abstract of the proceeding of the Annual Meeting of the Water Supply District of Acton, held at the Acton-Boxborough Junior High School Auditorium, Charter Road at Massachusetts Ave., West Acton.

WEDNESDAY, MARCH 19, 1997 at 7:30 PM

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

Chairman of the Commissioners	\$1,200 per year
Two (2) Commissioners	\$1,000 per year
Moderator	\$50.00 per meeting
Clerk	\$600.00 per year

(UNANIMOUS)

ARTICLE 2 VOTED to accept the reports of the Commissioners, Treasurer and other offices 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 of the fiscal year beginning July 1, 1997, 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.

(UNANIMOUS)

ARTICLE 4 VOTED that the District raise and appropriate to defray the usual expenses of the District.

(UNANIMOUS)

ARTICLE 5 VOTED that the District 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.

(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 \$297.23 for project completed under Article #8, of the Annual Meeting on March 16, 1994, witch approved purchase of software, and set up new computer programs for the District.
- B. Unexpended balance in the sum of \$1,496.17 for project completed under Article #9, of the Annual Meeting of March 20, 1991, to install a PreCast Utility Building off Ethan Allen Drive.
- C. Unexpended balance in the sum of \$2.40 for project completed under Article #9, of the Annual Meeting of March 16, 1996, which approved installation of new carpet, drapes and replace chairs in the present conference room in the Harlan Tuttle Building, located at 693 Massachusetts Aveneue in Acton.
- D. Unexpended balance in the sume of \$4,076.30 for project completed under Article #14, of the Annual Meeting of March 16, 1994, which approved installation of an emergency back-up power source and a gas line to run the generator for the Kennedy well located in North Acton, off Route 27, Main Street.
- E. Unexpended balance in the sum of \$3,984.94 for project completed under Article #24, of the Annual Meeting of March 16, 1994 which approved to pay for a survey, legal fees and appraisal of a parcel of District Land located off Nagog Hill Road in Acton.
- F. Unexpended balance in the sum of \$9,072.80 for project completed under Article #3, of the Special Meeting of September 28, 1994, which approved replacement of power lines and to install overhead power lines that feed power to the Lawsbrook Well and the Scribner Wellfield from the School Street Treatment plant.
- G. Unexpended balance in the sum of \$87.64 for project completed under Article #6, of the Annual Meeting of September 28, 1994, which approved additional funds for the proposed new District office building, and funds for the removal of overhead electrical, telephone and cable lines, and funds for the installation of underground communication lines.
- H. Unexpended balance in the sum of \$7.88 for project completed under Article #7, of the Special Meeting of October 23, 1996, which approved exterior landscaping, grading, seeding and needed maintenance to existing large trees at the District offices and make final payment for professional fees after the completion of the new District office.

- I. Unexpended balance in the sum of \$300,00 for project completed under Article #2, of the Special Meeting of October 23, 1996, which approved internal inspection of all the District's above ground water tanks.
- J. Unexpended balance in the sum of \$1,337.41 for project completed under Article #4, of the Special Meeting of August 20, 1984, which approved a testing program of the septage being discharged into and out of the lagoons of said disposal facility, for the purpose of determining the quality of the effluent being discharged into the groundwater in the area adjacent to land being acquired by the District in North Acton.
- K. Unexpended balance in the sum of \$2.65 for project completed under Article #9, of the Annual Meeting of March 16, 1988, which approved the upgrade of power lines and equipment for the Whitcomb Well Building in West Acton. (UNANIMOUS)

ARTICLE 7 VOTED that the District transfer from Surplus Revenue \$50,000.00 to continue the replacement of current water meters, or to take any other action relative thereto.

(UNANIMOUS)

ARTICLE 8 VOTED that the District transfer from Surplus Revenue \$25,000.00 for the purpose of renewing numerous outdated water services from existing water mains to the property line; and to change several old outdated fire hydrants, or to take any other action relative thereto. (UNANIMOUS)

ARTICLE 9 VOTED that the District authorize the Commissioners to transfer from Surplus Revenue \$400,000 to install approximately 3,600 feet of new water mains and appurtenances along Route 2A or to take any other action relative thereto.

(UNANIMOUS)

ARTICLE 10 VOTED that the District transfer from Surplus Revenue \$22,000 to purchase a new dump truck, and to authorize the Commissioners to trade or sell a one-ton dump or plow dump truck, or to take any other action relative thereto.

(UNANIMOUS)

ARTICLE 11 VOTED that the District transfer from Surplus Revenue \$20,000 to purchase a new vehicle, and to authorize the Commissioners to trade or sell a 1992 Ford Taurus, or to take any other action relative thereto.

(UNANIMOUS)

ARTICLE 12 VOTED that the District transfer from Surplus Revenue \$1,000 to clean the inside of the Flagg Hill and Nagog Hill Reservoirs, or to take any other action relative thereto.

(UNANIMOUS)

ARTICLE 13 VOTED that the District transfer from Receipts Reserve for Appropriation Account (W.R. Grace Settlement) \$350,000 to build a treatment facility for the Clapp and Whitcomb Wells, or to take any other action relative thereto.

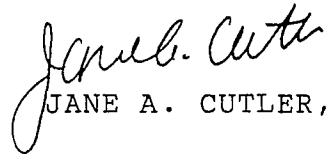
(UNANIMOUS)

ARTICLE 14 VOTED to pass over (UNANIMOUS)

ARTICLE 15 VOTED that the District transfer from Surplus Revenue the sum of \$75,000 to design the Conant II well and pumpint station in accordance with the District's Master Plan or to take any other action relative thereto.

(UNANIMOUS)

A TRUE COPY, ATTEST:


JANE A. CUTLER, CLERK

WATER MEETING

ABSTRACT OF THE PROCEEDINGS OF THE SPECIAL MEETING OF THE WATER SUPPLY DISTRICT OF ACTON, HELD AT THE WHITCOMB STATION OF THE WATER SUPPLY DISTRICT OF ACTON IN THE OFFICE BUILDING, MASSACHUSETTS AVENUE, ACTON, MASSACHUSETTS ON MONDAY, DECEMBER 8, 1997.

THE MEETING WAS CALLED TO ORDER BY THE MODERATOR, RICHARD P. O'BRIEN AT 7:00 PM. THE VOTERS ACTED ON THE FOLLOWING ARTICLES:

ARTICLE I: VOTED that the District transfer from Surplus Revenue the sum of \$12,000.00 to replenish the Permanent Paving Account totally expended due to water main breaks, or to take any other action relative thereto. (UNANIMOUS)

ARTICLE II: VOTED that the District transfer from Surplus Revenue the sum of \$27,970.15 to the Reserve Fund Account to replenish those funds transferred to the Permanent Paving Account due to water main breaks, or to take any other action relative thereto. (UNANIMOUS)

ARTICLE III: VOTED that the District transfer from Surplus Revenue the sum of \$30,000 as a special appropriation to pay for emergency water main breaks that occur unexpectedly, or to take any other action relative thereto. (UNANIMOUS)

ARTICLE IV: VOTED that the District transfer from Surplus Revenue the sum of \$5,000.00 as a special appropriation for new hardware, software, training and the update of computer systems, or to take any other action relative thereto. (UNANIMOUS)

ARTICLE V: VOTED that the District transfer from Surplus Revenue the sum of \$15,000 as a special appropriation to purchase G.I.S. equipment to work in conjunction with the Town of Acton and to receive a map for G.I.S., or to take any other action relative thereto. (UNANIMOUS)

ARTICLE VI: VOTED that the District will transfer from Surplus Revenue the sum of \$15,000.00 as a special appropriation for the rehabilitation of the Marshall Well Field to increase water pumping capacity, or to take any other action relative thereto. (UNANIMOUS)

ARTICLE VII: VOTED that the District transfer from Surplus Revenue the sum of \$10,000 as a special appropriation for the cleaning of Assabet 1, Assabet 2 and the Conant wells, or to take any other action relative thereto. (UNANIMOUS)

ARTICLE VIII: VOTED that the District transfer within the Receipt Reserve for Appropriation Account (W.R. Grace settlement account) an amount of \$13,000 to the Special Appropriation Account under the "Air Stripper Account" to fund replacement of the Tri-Pack at Assabet Treatment Plant, or to take any other action relative thereto. (UNANIMOUS)

ARTICLE IX: VOTED that the District will authorize the Treasurer, with the approval of the Commissioners to transfer to Surplus Revenue Account the following unexpended balances remaining after completion of projects authorized by vote of the District.

A. Unexpended balance in the sum of \$3,997.00 for project completed under Article 7 of the annual meeting on March 20, 1996 which approved purchase of a burster machine for the District.

B. Unexpended balance in the sum of \$200.00 for project completed under Article 20 of the annual meeting of March 20, 1996 which researched methods of water conservation for the Acton public schools and municipal buildings.

C. Unexpended balance in the sum of \$100.20 for the purchase of a dump truck authorized by Article 10 of the annual meeting of March 19, 1997.

D. Unexpended balance in the sum of \$2,439.00 for the purchase of a trenching box authorized by Article 8 of the annual meeting of March 15, 1995.

A TRUE COPY, ATTEST:

JANE A. CUTLER, CLERK

WATER MEETING

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

TUESDAY APRIL 15, 1997

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

Total number of ballots cast:

The following were elected :

Commissioner for 3 years: Leonard A. Phillips	1586
Moderator for 1 year: Richard O'Brien	1619
Clerk for 1 year: Jane A. Cutler	1589

A true copy:
Attest:

Jane A. Cutler
District Clerk

WATER SUPPLY DISTRICT OF ACTON
RULES, REGULATIONS AND RATES
Amended February 9, 1998

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

- A. All applications for the use of water are available at the Water District office, 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 meter installation. 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 unit, 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. Permanent outside sprinkler system may be installed in conformance with regulations adopted as of September 8, 1997.
4. Periodic inspection of pipes to the meter may be made by the Water District personnel. 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. Any alteration made to any service within the Acton Water District may only be made by the Acton Water District, or 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, or 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, or their agent 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 for 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, or their agent are satisfied that there will be no further cause of complaint and on the payment of twenty-five dollars. With the approval of the Department of Environmental Quality Engineering (Chapter 40, Section 41A of the Massachusetts General Laws), the Commissioners, or their agent 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, or their agent.
15. No water taker will be allowed to supply water to others, except by special permit from the Board of Water Commissioners, or their agent 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 twenty-five 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 with proper 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 a lien on real estate, and collections may be made on the sale of the 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 authorized District personnel.
20. 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 a 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 the indictment or on a complaint before the 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 constitutes a separate offense.
21. The District Manager, or his authorized agent, will be empowered by the Commissioners to confer with the owner to establish the number of units, measured by a given meter, to which the following rate structure will apply. The break points of the inclining block rate structure will then be multiplied by the agreed upon number of units to determine the appropriate charges.
22. Beginning July 1, 1997, the Acton Water District will be issuing two (2) bills per year. Meter reading will begin the first week in September and the first week in March. Bills will be mailed as soon as reading is complete, but no later than the first week in October and the first week in April. All bills will be based upon actual readings and all minimum charges have been eliminated. The following inclining block rate structure has been adopted, and will go into effect immediately following the final billing cycle under the old system which will be completed in April of 1997.

0 -	500 cu. ft.	billed at	.015 pr cu. ft.
501 -	5000 cu. ft.	billed at	.022 pr cu. ft.
5001 -	10000 cu. ft.	billed at	.024 pr cu. ft.
10001 -	and up cu. ft.	billed at	.025 pr cu. ft.

All owners having used less than 100 cubic feet of water will be billed at the next actual water billing cycle.

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 an inspector on sites where new water main and necessary fittings are installed in new developments, private roads, business and commercial sites. The Water District 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 a water main or hydrant or other device used for water supply. Any person violating said section will be fined not more than \$200.00 for each offense, which will inure to the District or 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 may be required to install, at the service entrance and immediately downstream of the meter, a Reduced Pressure (RP) Back Flow Device. A survey of the new industrial or commercial establishment will determine the need for said 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 September 8, 1997, the Board of Water Commissioners voted to remove the moratorium on underground lawn sprinkler systems.
31. Underground Lawn Sprinkler Regulations Effective September 8, 1997
 - i. All automatic lawn watering systems, connected to the public water supply, must be equipped with a timing device that can be set to make the system conform to the District's odd/even outdoor watering restrictions.
 - ii. All automatic lawn watering systems must be equipped with some type of moisture sensing device that will prevent the system from starting automatically when not needed.

- iii. All automatic lawn watering systems must be installed with an approved backflow prevention device (Watts 800 or equal). Said device will be inspected initially by the plumbing inspector, and may be inspected periodically after that by water district employees.
 - iv. Any person who now has, or who intends to install an automatic lawn watering system, must notify the Water District office of the existence of said system, or of their intention to install a new system prior to the actual installation. All systems, those currently in existence, as well as any installed in the future, must comply with all the Rules and Regulations adopted on this date.
 - v. Any system not in conformance with the above criteria may be disconnected from the public water supply system.
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
Ronald R. Parenti, Chairman
Leonard A. Phillips
Stephen C. Stuntz

**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 elected. Nomination papers of a candidate for office of the District shall be filed with the Clerk of the District in accordance with Chapter 53, Section 10 of General Laws, Submission to the Registrar of Voters shall be in accordance with Chapter 41, Section 115 of the General laws.
- iv. Nothing herein shall be construed as preventing a vote by stickers or writing in the name of a candidate, all as provided in the General Laws, except that not such sticker or write-in candidate shall be deemed to be elected unless he has received valid votes equivalent to 1% of the total of the number of registered voters in the District, as hereinafter determined.
- v. The Commissioners, acting as election officers, shall prepare as of twenty (20) days prior to the Annual Election, a list of eligible voters from the official voting list of the Town of Acton as of that time. This list shall remain closed until after the Annual Meeting of the District. The list 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 shall be sworn to the performance of their duties by the Clerk of the District, except in the case of the Clerk, who shall be sworn by any of the Commissioners. The Clerk shall make a record of the facts in the minutes of the meeting.
- vii. Elections and Nominations of District officers 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 will 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 specified in Chapter 326 of the Acts of 1912, Section 8.
- iii. All warrants shall be posted at least fourteen (14) days before the time of the meeting.
- iv. The Clerk shall preside at each meeting until a Moderator is chosen.
- v. At each Annual Election Day there 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 shall inure to the District for such uses as the Commissioners may direct. Fines shall be recovered by indictment or on a complaint before a District Court, or by non-criminal disposition in accordance with section Twenty-one D of Chapter 40 of the General Laws. Every day that such violation continues shall constitute a separate offense.
- xi. a) A five member Water-Land Management Advisory Committee is hereby established. Two members to be appointed by the Commissioners for a term of three years, two members to be appointed by the Moderator of the District for a term of two years, one member to be appointed by the Selectmen for a term of one year. Thereafter, each appointment will be for a term of three years.

- b) The Advisory Committee shall review and make recommendations to the Commissioners on matters relating to water and land management policies of the district and shall make recommendations to the Commissioners on any matter relating 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 shall inure to the District for such uses as the Commissioners may direct. Fines will be recovered by the 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.
- xiii. a) No person shall maintain upon premises which they own or occupy, a physical cross connection between the distribution system of a public water supply, the water of which is being used for drinking, domestic, or culinary purposes, and the distribution system of any unapproved water supply, unless the installation has been reviewed and approved by the Water District and permits have been issued in accordance with the Drinking Water Regulations of the Department of Environmental Quality Engineering.
- b) That the Water District shall have the authority to terminate any water source to any facility where cross connections are maintained without required backflow prevention devices which have been approved by the District.
- c) That the Commissioners shall enact such Cross Connection Control Program and Regulations as are necessary to protect the public potable water supply served by the District from the possibility of contamination or pollution by isolating within its 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. District authorizes the Commissioners to establish due dates for payment of water charges and bills, and authorizes the Commissioners to fix a rate of interest which shall accrue if such charges or bills remain unpaid after such due rates, provided, however, such rate of interest shall not exceed the rate of interest which may be charged on tax bills under the provision of Section 57 of Chapter 59, Massachusetts General Laws, as amended.

xv. Section 1 - Authority:

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

Section 2 - Purpose:

The purpose of this By-Law is to protect, preserve, and maintain the public health, safety and welfare whenever there is in force a state of water supply emergency by providing for enforcement of any duty imposed restrictions, requirements, provisions or conditions imposed by the District or by the Department and included in the District's plan approved by the Department of Environmental Protection to abate the emergency.

Section 3 - Definitions:

For the purpose of the By-Law: Enforcement authority 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 shall mean a state of water supply emergency declared by the Department of Environmental Protection pursuant to G.L.c.21G, Section 15, 16, 17:G.L.c111, Section 160, or by the Governor.

Section 4 -

The following will apply to all users of water supplied by the District. Following notification by the District of the existence of a state of water restriction included in a plan approved by the Department of Environmental Protection which has as its purpose the abatement of a water supply emergency.

Notification of any provision, restriction, requirement, or condition with which users of water supplied by the District are required to comply to abate a situation of water emergency shall be sufficient for purposes of this By-Law if it is published in a newspaper of general circulation within the Town of Acton or by such users of the District Supply.

Section 5 - Penalty:

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

xvi. By-Law to Regulate Underground Water Sprinklers

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

b) Applications to the District for the installation and use of permanent outdoor underground lawn sprinklers will be signed by the owner(s) of the premises where it is desired, or by a duly authorized agent, and shall be made in writing. The application 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 installation, repair, maintenance replacement or alteration; and may provide for design criteria which includes, but are not limited to, rain gauges, automatic timers, back-flow devices, shut-off devices, electric controls, and the like, and 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 shall find that any provisions 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 action to correct it.

g) Any person violating this By-Law will be fined not more than \$200.00 for each offense, which shall inure to the District for such uses as the Commissioners may direct. Fines 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. 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 amendment 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-Laws 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 will apply 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 of water for any purpose, the Commissioner may impose restrictions by a majority vote of the Commissioners at a regular or special meeting of the Board. Notification of any restriction, requirement or condition to conserve water 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.

B) Upon notification to the water takers, violators shall be subject to lawful order of the Commissioners, including but not limited to, shutting off the water meter or at the curb cock, or by other means as the case may be, during drought, hurricane, conflagration or other disaster which in the opinion of the 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 shall inure to the District for such use as the Commissioners may direct. Fines shall be recovered by indictment or upon complaint before the District Court or by non-criminal disposition in accordance with Section 21D of Chapter 40 of the General Laws as amended. Each separate instance of non-compliance following issuance of a warning or citation pursuant to this section 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 shall require an inside meter reading to be made by the District's authorized personnel.

Section Seven:

Right of Entry:

Except as provided in Section 6(b), Agents of the enforcement authority may enter any property, except the interior of a domicile, for the purpose of inspecting or investigating any violation of the By-Law or enforcing against the same.

Section Eight:

Severability:

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

xix. Regulate the Removal and Sale of Sand and Gravel from Lands in District Use

Section 1. The purpose of this 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 any public or private street, and abutters to abutters within the five hundred (500) feet aforesaid.

The public hearing shall be held no later than 21 days prior to the business meeting of the District which includes an appropriate warrant article for action by voters of the District. Action by voters of the District on any article permitting the Commissioners to enter into a written contract for removal and/or sale of earth materials from lands of the District shall require a two-thirds vote. At the public hearing the Commissioners 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 with 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 practice 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 more than four acres be unrestored.
- I. Provisions to grade slopes safely, loam and revegetate all disturbed areas.
- J. Removal of debris, stumps, boulders, etc. from the site and dispose of in an approved location or in the case of inorganic matter, buried and covered with at least two feet of soil.

- K. A requirement that all retained subsoil and topsoil be spread over the disturbed area and seeded. Trees or shrubs of prescribed species will be planted to provide screening and reduce erosion during the establishment period.
- L. A requirement that final restoration work be completed within 60 days, weather permitting, after completion of excavation operations.
- M. A requirement of posting 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.

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

SECTION 1, CROSS-CONNECTION CONTROL AUTHORITY

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

SECTION 2, CROSS-CONNECTION CONTROL - GENERAL POLICY

2.1 Purpose The purpose of this regulation is:

2.1.1 To protect the public potable water supply of the area served by the Water Supply District of Acton (hereinafter referred to as Water 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 judgment of said District Manager an approved backflow prevention device is required, at the District's water service connection to any customer's premises, for the safety of the water system, the District Manager or his designated agent 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 judgment of the Water District Manager, may create a danger to the health and well being of the water consumer.

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

3.11.3 Hazard - Pollution (Low Hazard) An actual or potential threat to 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 4.2.3A, 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 4.2.3A of this section; or

4.2.4B Where there is any material dangerous to health which is handled in a fashion as to create an actual or potential hazard to the 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-use 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.

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

Fee Schedule for Backflow and
Cross Connections
June 11, 1990

- A. Survey Fees
- | | |
|-----------|---|
| \$55.00 - | first hours or part thereof (minimum) |
| \$25.00 | 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.

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