

AGENDA

Monday

December 5, 2016

**TOWN OF EASTHAM
AGENDA
BOARD OF SELECTMEN
Monday, December 5, 2016
5:00 p.m.**

Location: Earle Mountain Room

I SELECTMEN/PUBLIC INFORMATION

II. APPOINTMENTS

- A. Discussion/Presentation
5:05 p.m. Report of the Town Administrator Search Committee – Dave Schropfer, Chair
515 p.m. Children's Place Construction Update – Cyndi Horgan, Executive Director

(All times above are approximate and items may be taken out of order)

III. ADMINISTRATIVE MATTERS

- A. Action
1. Accept Resignation of John Zazzaro, from Zoning Board of Appeals (Vote)
2. Appointment to Council on Aging Board of Directors – Jim Connor (Vote)
3. Create Revolving Fund Under 53A for Water Fees and Equipment Purchases (Vote)

IV. TOWN ADMINISTRATOR'S REPORT

- A. Update on Water Management Permit and Water Testing Program
B. Update on Creation of All Committee Member General Email Accounts
C. Update on Purcell Affordable Housing Zoning Board Hearing
D. Staffing Updates

V. OTHER BUSINESS

- VI. EXECUTIVE SESSION: To discuss strategy with respect collective bargaining and to discuss litigation regarding the Library Project, and the Chairman declares an open meeting may have a detrimental effect on the bargaining or litigating position of the public body.

Upcoming Meetings

December 7, 2016	3:00p.m.	Timothy Smith Room	Work Session
December 19, 2016	5:00 p.m.	Timothy Smith Room	Regular Meeting
January 3, 2017 (Tuesday),	5:00p.m.	Timothy Smith Room	Work Session
		Presentation of FY18 Municipal and Capital Budgets - Finance Committee members will be in attendance.	
January 4, 2017	3:00p.m.	Timothy Smith Room	Work Session
		Development of Selectmen's and Finance Committee Budget Review Schedule for January 2017	

The listing of matters includes those reasonably anticipated by the Chair, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may be brought up for discussion to the extent permitted by law.

This meeting will be video recorded and broadcast over Local Access Channel 18 and through the Town website at www.eastham-ma.gov

Town Administrator Search Committee
Report to Board of Selectmen
December 5, 2016

Members: David Schropfer, Chair; Scott Kerry, Secretary; Dan Coppelman, Darin Krum, Carol Martin, Kara Risk, James Taylor.

This is to recommend that the Town Administrator Search Committee present the two best candidates we have vetted to the Board of Selectmen at your meeting scheduled for Monday, December 5th.

Our current search process has discovered two highly qualified people, both of whom not only meet nearly every criteria listed in the ad, but have the personal qualities to bring leadership to the staff, excellent communication with the Board and maintain the successful financial planning the Town has enjoyed under the current Administrator's leadership. The Committee's vote to approve was unanimous.

Recommendations

We believe the two winning candidates are not only the best among the applicants we reviewed, they also have in-depth local knowledge, and live locally (within less than a half hour of Eastham), so they should be able to acclimate to our town quickly and become highly productive as members of Eastham's leadership team of the Board of Selectmen, Department heads and Town Administration.

At the meeting, at the appointed time, if the Board is prepared to review the resumes and make appointments to interview the candidates, our Committee chair will name them and provide you with their resumes which we believe will result in a successful conclusion to this search and place it in your hands to finalize the process.

The attached page provides details of our process and details of alternatives to proceeding with the two excellent candidates we are presenting.

Sincerely,

David W. Schropfer,
Chair

Attachment

Town Administrator Search Committee Report

1. Reviewed and considered 20 resumes received by the deadline of October 14, 2016. No resumes arriving after that date were eligible. The consultant was restrained from additional solicitations of candidates as well, unless we re-advertised with the language: "search is open until position is filled," rather than a date certain.
2. We focused on those applicants that most closely met the criteria in the advertisement for the Town Administrator's job.
3. We submitted four superior candidates to the consultant for her review, background check and recommendations. She reported that two of our four semi-finalists dropped out. That left two who we liked very much to be processed further, including personal interviews with the consultant and our committee
4. The Town Administrator's Search Committee was given the Board's goal, which called for three to five candidates to be submitted by the timetable of Dec.19, 2016.

Background

The consultant accurately pointed out that we weren't going to get hundreds of replies due to several reasons: other towns either just finished or were still seeking applicants to fill their openings, and our town is some distance from the bridge and has increasing cost of living as well.

Since 16 of the resumes received were significantly or partially off target, we are concerned that going out again would not generate anyone better than the two excellent candidates we have and don't want to lose.

The Board's timetable covered about 10 weeks to be able to recommend candidates to you. Assuming we re-start from scratch, and it takes the same length of time (ad was placed in early September and this is early December), it could take us through the holidays to roughly early February if we re-start.

Recommendation

We recommend the Board allow the Committee to publicly present the names and applications of the two winning finalist candidates who we are unanimously recommending for the Board's initial review now.



Expansion and Renovation Project

To improve site safety, facility usage, increase capacity, and meet community demand, Cape Cod Children's Place has begun an Expansion and Renovation Project of the 21 years old 3,841 sq/ft facility in Eastham. The project encompasses renovations to the existing site and building a 1,867 sq/ft two level addition (1,320 sq/ft upper level, 547 sq/ft lower level) and a greatly expanded, safer parking area.

Why is this project happening now?

For many years now the demand for our services has outgrown the capacity we can provide in our 21 year old Eastham facility. We currently serve nearly 800 families (nearly 3,200 individuals) throughout the community and at this site. This location houses an affordable, year-round, early-education and care program for children as young as 1 month old through age 6. Families also attend free parenting consultations, support groups, parenting skills classes, family focused sobriety support programs, and more within this location. We have waiting lists for our classrooms and for many of our family support programs. Over the years we have undertaken smaller updates to the building to increase capacity at the lowest cost possible, but the great need for our services in our community can no longer be met within the existing space. Exacerbating this issue is the fact that there are a number of programs needed by local families that do not exist in our region at this time and that are critically needed to improve child and family development and in some cases rebuild attachments after trauma. Cape Cod Children's Place is able and ready to provide these programs but needs the appropriate space and equipment to provide them. The time has come to recognize that we must expand and renovate this building to increase access and to provide the programs demanded by our severely underserved community.

Who does this project benefit?

Cape Cod Children's Place serves ALL families regardless of income level, children's ages, place of residence, or family structure. We partner with families to build the foundation of great beginnings for children to ensure bright, healthy futures. The majority of the families we work with are low-to-mid income and reside within the eight towns of the Lower and Outer Cape (Harwich to Provincetown) with children in the birth to age 8 range, though we serve families throughout Barnstable County and even the country with children of all ages. Many of our families are among the "working poor" who maintain regular employment but remain in relative poverty due to low levels of pay and dependent expenses. Facing many challenges in our region including a seasonal economy with high housing costs, many of our families work multiple jobs throughout the year while still facing housing and financial instability. Our region is Federally Designated as a Medically Underserved Primary Care, Dental Health, and Mental Health Area meaning there is a significant lack of providers in our region, this impacts the health and well being of our residents significantly.

How is this project happening?

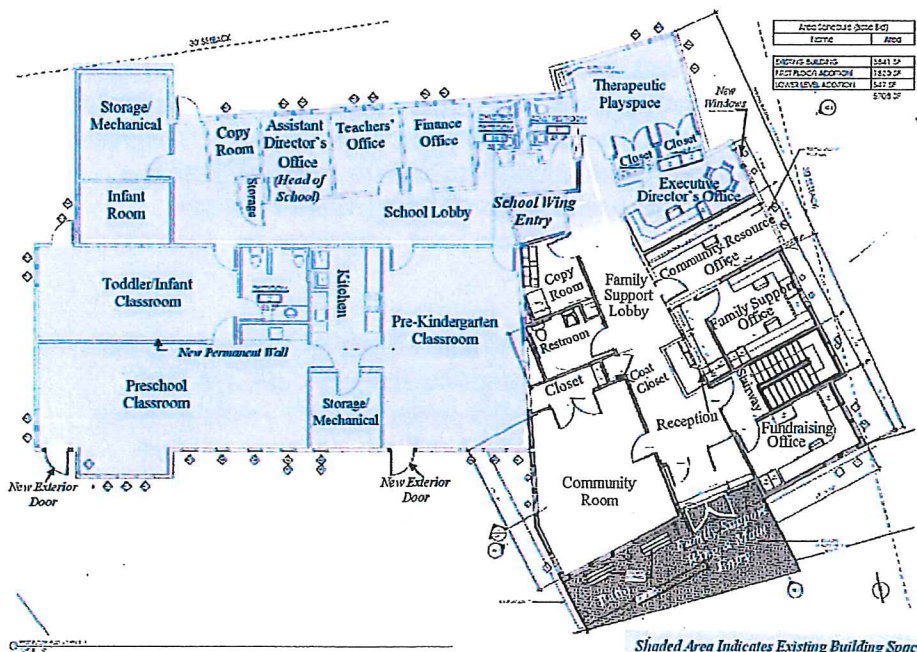
Understanding the need in our region and the impact of Cape Cod Children's Place on its residents, the Town of Eastham awarded a \$330,000 grant towards this effort. A long time supporter of Cape Cod Children's Place has just issued a \$100,000 challenge grant towards this project as well – calling on our community to match this funding. This project has a total budget of \$1.1 million, an unprecedented undertaking for our small organization. This project will be funded through philanthropy and we are actively soliciting individuals, foundations, and corporations at this time to meet the match and achieve our budgeted goal.

Renovations to the existing building include:

- Replacement of temporary divider between toddler classroom and preschool classroom with a permanent wall. - *Completed*
- Installation of exterior doors in preschool and pre-kindergarten classrooms to facilitate easier access to playgrounds and faster emergency evacuations. - *Completed*
- Creation of a dedicated office for teachers to utilize for planning, professional development, meetings, and storage.
- Installation of air conditioning to improve air quality and temperature control throughout the year.
- Dedicated office space for Assistant Director (Head of School) with increased confidentiality for meetings with families and teachers.
- Creation of Therapeutic Playspace for occupational therapy equipment/programs and therapeutic playgroups. Critically needed as pediatric Occupational Therapy is not currently available within our service area.
- Removal of temporary wall to increase usable area in the Therapeutic Playspace.
- Replaced and upgraded septic system. - *Completed*
- Increased safety & security system with monitoring of entry points available at reception and from the Assistant Director's Office within the school wing.

Building expansion includes:

- Secure entryway and lobby for improved safety of students, families, and staff.
- Separate wings for school classrooms/offices and family support work increasing confidentiality and security.
- Large community room to host onsite parent education workshops, addiction recovery programming, support groups, playgroups, community meetings, family events, etc.
- Family support office for confidential parent consultations and resource navigation.
- Executive Director's office with meeting space for confidential family meetings/consultations.
- Community Resource Office to provide regular office space for collaborating agencies and organizations (Helping Our Women, Department of Transition Assistance, Department of Children and Families, Visiting Nurses Association, Cape Cod Immigration Center, PFLAG, Center for Women, Barnstable County Department of Health and Human Services, Cape Cod Healthcare, Harwich Family Food Pantry, WIC, etc.) that do not have a presence on the Lower and Outer Cape.
- Lending library of books, materials, toys, equipment, and supplies for families, local educators, and collaborators.
- Increased storage space for materials, resources, and equipment.

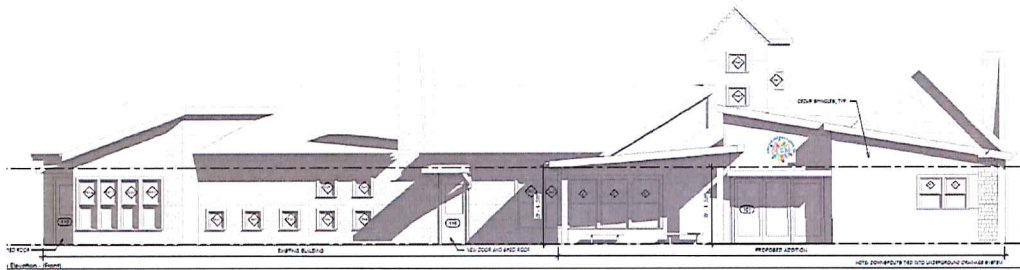
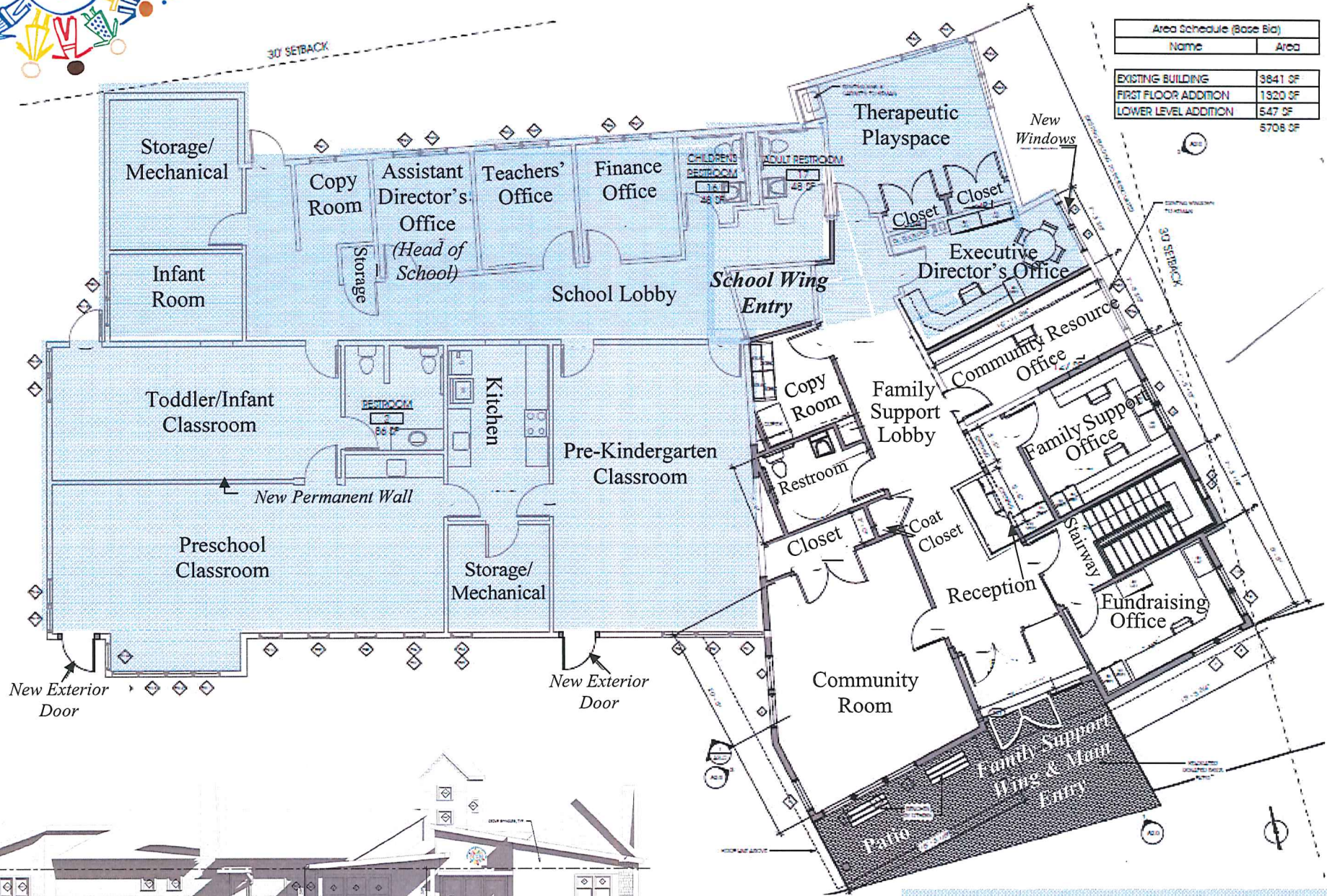


- Improved parking lot with increased parking spaces (from 12 spots to 24), improved traffic flow, and added lighting. - *Completed*



Expansion & Renovation Project

Area Schedule (Base Bid)	
Name	Area
EXISTING BUILDING	3841 SF
FIRST FLOOR ADDITION	1320 SF
LOWER LEVEL ADDITION	547 SF
	5708 SF



Shaded Area Indicates Existing Building Space

11-19-16

Eastham Board of Selectmen:

I would like to inform you
that as of 12-1-16, I am Resigning from
the Eastham Zoning Board of Appeals,
With heavy heart. I would like to
thank you all for giving me the
opportunity of ~~of~~ serving the Town
of Eastham, for the past 10+ years

Sincerely,

John G. Jaggard

ADMINISTRATION

NOV 29 2016

RECEIVED



TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642 - 2544

All departments 508 240-5900 Fax 508 240-1291

www.eastham-ma.gov

December 5, 2016

To: Board of Selectmen

From: Sheila Vanderhoef, Town Administrator

Re: **Committee Appointments**

The following is the information needed to make one committee appointment.

James Connor

The Search Committee recommends the appointment of James Connor to the Board of Council on Aging as a regular member.

If the Board appoints him, his first term would commence December 5, 2016 and expire June 30, 2018. He seeks to replace Mary Sullivan, whose term ended 6/30/15.

Charge to the Council on Aging Board of Directors

An eleven member Council on Aging Board of Directors shall be appointed by the Board of Selectmen for three-year overlapping terms.

The duties of said Council on Aging shall be to: (1) identify the total needs of the community's elderly population, (2) educate the community and enlist support and participation of all citizens concerning these needs, (3) design, promote or implement services to fill these needs, or coordinate present existing services in the community, (4) promote and support any other programs which are designed to assist elderly programs in the community. Said Council on Aging shall cooperate with the Commonwealth of Massachusetts Office of Elder Affairs and shall be cognizant of all state and federal legislation concerning funding, information exchange, and program planning which give an annual report to the Board of Selectmen with a copy of that report directed to the Commonwealth of Massachusetts Office of Elder Affairs.

From Eastham Home Rule Charter-1992

Town Administrator's Report

INFORMATION



TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642
All Departments 508-240-5900
www.eastham-ma.gov

DATE: November 21, 2016

TO: Eastham Board of Selectmen
Conservation Commission
Finance Committee

Planning Board
Board of Health

✓ Sheila Vanderhoef, Town Administrator
Jane Crowley, Health Agent
Shana Brogan, Conservation Agent
Ed Kulhawik, Police Chief

Jacqui Beebe, Assistant Town Administrator
Tom Wingard, Building Commissioner
✓ Neil Andres, DPW Superintendent
Kent Farrenkopf, Fire Chief

FROM: Paul Lagg, Town Planner

RE: Purcell Property Housing Development Comprehensive Permit Application

Per State statute CMR 760 56.05, you are hereby notified that the Eastham Zoning Board of Appeals has received a 40B Comprehensive Permit application for the proposed Purcell Property Housing Development. The Zoning Board of Appeals will be seeking the input of town staff and pertinent local Boards and Committees as this application moves through the public hearing process. Copies of the 40B application are being provided to you in either hardcopy or digital format. There is also a copy available for review in the Planning Department at Town Hall.

The initial public hearing will be held on: December 1 at 6:30 PM. It is anticipated that subsequent ZBA hearings will be held to discuss specific topics related to this proposal. Those continued hearing dates and topics will be scheduled after the December 1.

In the mean-time, I will be convening a staff review session and I will also coordinate with the respective staff liaisons and/or committee chairs to facilitate getting any notes and/or recommendations from the Boards and Committees to the ZBA. If you have any questions or concerns please feel free to contact me.

Thank you for your assistance.

2017 Calendar

<u>Town Warrant</u>	Opens	Tuesday, January 3, 2017
	Closes	Monday, February 6, 2017
<u>Nomination Papers</u>	Available	January 3, 2017
	Last day to obtain	March 27, 2017
	Last day to return	March 28, 2017
<u>Town Meeting</u>		Monday, May 1, 2017
<u>Town Election</u>		Tuesday, May 16, 2017
	Last day to register for Town Meeting and Town Election	April 11, 2017
<u>Positions Open:</u>	<u>Term</u>	<u>Incumbent</u>
Moderator	One three-year term	Steven Cole
Selectmen	Two three-year terms	Linda Burt, Elizabeth Gawron
Town Clerk	One three-year term	Susanne Fischer
Library Trustee	Two three-year terms	Edmond Harnett; Mary Shaw
Housing Authority	One five-year term	Marybeth O'Shea
Elementary School Committee	Two three-year terms	Joanne Irish; Judy Lindahl

2017 MIIA Annual Business Meeting and Luncheon

Please join your fellow municipal officials and the MIIA staff for our

Annual Business Meeting and Luncheon

Saturday, January 21, 2017

12:00 PM – 1:30 PM

Hynes Convention Center, Boston

Ballroom B, 3rd Floor

In order to accommodate all members, reservations are required.

Please reply by December 21, 2016.

When responding, please indicate any special dietary needs.

Also, we hope you will join us at the

MMA Annual Meeting and Trade Show

January 20-21, at the Hynes Convention Center,
Boston.



We encourage you to register
for this event, which includes
forums and workshops.

Look for more information about workshops
and forums you can attend on January 20 and
21 to earn MIIA Rewards credits.

We will send this information to you soon!



Nauset Rod and Gun Club

Sound Issues

Background

The Nauset Rod and Gun Club has been in continual existence since 1947. In 1970 the club moved to its current location, a heavily wooded area about 2/3 miles east of route 6 in Eastham that resides within the Cape Cod National Seashore.

The purpose of the club is the encouragement of rifle, handgun, and shotgun shooting among citizens of the United States, with a view toward a better knowledge on the part of such citizens of the safe handling and proper care of ammunition and small arms, as well as improved marksmanship. The club also works to forward the characteristics of honesty, good fellowship, self-discipline, team play and self-reliance. In addition to supporting various shooting sports, the club provides basic firearms safety training classes and instructional events as well as activities in support of recreational angling.

Community

Nauset Rod and Gun Club is the only gun club on the outer cape. As such, it provides essential services to the community that otherwise would not be available. It is the only location where area shooters can practice the safe and proficient use of firearms. Further, Nauset Rod and Gun Club serves as the primary facility for firearms training and officer qualification for the Wellfleet, Eastham, Chatham, Orleans, Truro, and Provincetown police departments as well as the Barnstable County SWAT team.

The club strives to be a good neighbor to those who live and work in the surrounding area and who, from time to time, may be able to hear activity on the club ranges. We strictly enforce shooting hours as being between 9:00 am and sunset and encourage anyone who is aware of shooting that occurs outside of these permitted hours to immediately contact the club.

"Noise" Abatement

Nauset Rod and Gun Club is an outdoor facility as established by its charter with the town of Eastham and within the Commonwealth of Massachusetts. As an outdoor facility, the sounds emanating from the club are impacted by atmospheric conditions such as wind direction, wind speed, and humidity. Of greater importance is the fact that the club is located in what has historically been a heavily wooded area. Trees are one of nature's most effective sound barriers. However, since the time the club has been in its current location, many trees have been removed to make way for residential and commercial development as well as public works. A significant clearing occurred in early 2015 as part of the Town of Eastham's water works. Much of this activity occurred in Zone G which directly borders the gun club to the west and lies between the club and US Route 6. This activity also included the construction of a 120 foot steel water tower. Whereas trees are sound dampening, steel is highly reflective of sound; therefore, these activities have negatively impacted sound travel in a manner over which the club has no control.

All rifle and pistol ranges have earthen and/or concrete berms for both safety and sound mitigation. The club understands; however, that one person's "sound" is another person's "noise" and even the relatively faint sound of gunfire can be bothersome to some people regardless of the actual decibel level. To address sound concerns, the club has rescheduled its busier events to the late fall, winter, and early spring months when there are fewer people living in the area, outdoor activity is reduced, and people have their windows closed.

Despite the fact that the club is exempted by Massachusetts statute from liability based on "noise pollution" complaints, the club remains committed to continue to find ways to operate in concert with the needs of the town, its residents, and its visitors.

Questions to the club can be directed by mail to:

Mr. Randy Gifford
President
Nauset Rod and Gun Club
PO Box 157
Eastham, MA 02642

Or, by email to:

Nausetrodandgun@gmail.com

Below are links to two documents relating to the water works in the Town of Eastham.

Schedule of water works activities:

http://www.eastham-ma.gov/public_documents/EasthamMA_BComm/waterfolder/1schedules/MProjSch2.pdf

Location of Zone G:

http://www.eastham-ma.gov/Public_Documents/EasthamMA_Planning/Zoning11x17_Updated_01-11-10.pdf

PWS ID 4086095

PWS Name TOWN OF EASTHAM

Town: EASTHAM

Class: COM

BACTERIA SAMPLINGApr - Sep: 3 per MONTH
Oct - Mar 2 per MONTHSeason Start Date: 01/01
Season End Date: 12/31

Refer to your DEP Coliform Sampling Plan for approved coliform sample locations. Systems open before or beyond the start/end dates must collect samples during these extra months.

Loc ID #	SAMPLE LOCATION	MULT/SIN	R/F	D/S	WAIVER Y / N	2014				2015				2016			
						QTR1	QTR2	QTR3	QTR4	QTR1	QTR2	QTR3	QTR4	QTR1	QTR2	QTR3	QTR4

CHLORINE

CL APPROVED COLIFORM SITES S F D [1 times per Month]

GROSS ALPHA PARTICLE ACTIVITY

10000	NRHS FINISHED WATER	S	F	D													X
10001	DISTRICT G FINISHED WATER	S	F	D													X

HALOACETIC ACIDS

100010 WILD CARE S F D [Next Sampling due in 2017]

INORGANICS

10000	NRHS FINISHED WATER	S	F	D	A												X
10001	DISTRICT G FINISHED WATER	S	F	D	A												X

NITRATE

10000	NRHS FINISHED WATER	S	F	D													X
10001	DISTRICT G FINISHED WATER	S	F	D													X

NITRITE

10000	NRHS FINISHED WATER	S	F	D													X
10001	DISTRICT G FINISHED WATER	S	F	D													X

PERCHLORATE

10000 NRHS FINISHED WATER S F D A [Next Sampling due in 2017]

10001 DISTRICT G FINISHED WATER S F D A [Next Sampling due in 2017]

RADIUM 226 & RADIUM 228

10000	NRHS FINISHED WATER	S	F	D													X
10001	DISTRICT G FINISHED WATER	S	F	D													X

SECONDARY CONTAMINANTS

10000 NRHS FINISHED WATER S F D [DEP recommends annual testing]

10001 DISTRICT G FINISHED WATER S F D [DEP recommends annual testing]

SYNTHETIC ORGANIC COMPOUNDS

10000	NRHS FINISHED WATER	S	F	D	A												X
10001	DISTRICT G FINISHED WATER	S	F	D	A												X

R/F = RAW OR FINISHED WATER;

D/S = DISTRIBUTION OR SOURCE SAMPLE

Waiver: (Y)es, or (N)o

MULT/SIN: (MULT)iple sources or a (SIN)gle source

October 19, 2016

Required Water Quality Sampling Schedule Frequency For 2014 To 2016

Page 2 of 2

PWS ID 4086095

PWS Name TOWN OF EASTHAM

Town: EASTHAM

Class: COM

BACTERIA SAMPLINGApr - Sep: 3 per MONTH
Oct - Mar 2 per MONTHSeason Start Date: 01/01
Season End Date: 12/31

Refer to your DEP Coliform Sampling Plan for approved coliform sample locations. Systems open before or beyond the start/end dates must collect samples during these extra months.

Loc ID # SAMPLE LOCATION	MULT/SIN	R/F	D/S	WAIVER Y / N	2014				2015				2016			
					QTR1	QTR2	QTR3	QTR4	QTR1	QTR2	QTR3	QTR4	QTR1	QTR2	QTR3	QTR4

TRICHALOMETHANES

100010 WILD CARE

S F D

[Next Sampling due in 2017]

VOLATILE ORGANIC COMPOUNDS

10000 NRHS FINISHED WATER

S F D A

			X
			X

10001 DISTRICT G FINISHED WATER

S F D A

			X
			X

R/F = RAW OR FINISHED WATER;

D/S = DISTRIBUTION OR SOURCE SAMPLE

Waiver: (Y)es, or (N)o

MULT/SIN: (MULT)iple sources or a (SIN)gle source

Charles M. Sabatt PC
Attorney At Law
540 Main Street – Suite 8
Hyannis, MA 02601

Telephone
508-775-5050

Facsimile
508-778-4600

November 30, 2016

Mr. Scott W. Nickerson, Clerk
Barnstable Superior Court
3195 Main Street
PO Box 425
Barnstable, MA 02630

RE: American Capital Energy, Inc. v. Redwood Solar Development LLC Et Al.
Docket #1572 CV 00025

Dear Mr. Nickerson:

With reference to the above-entitled action, I am enclosing herewith a *Stipulation of Dismissal with Prejudice*. May the same please be filed.

Additionally, I am enclosing herewith a check in the amount of \$5.00 in exchange for which I would appreciate your providing me with two attested copies of the enclosed Stipulation as filed.

Thank you very much for your attention to this matter and your assistance.

Sincerely,

Charles M. Sabatt
Enclosure

COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, ss.

SUPERIOR COURT
CIVIL ACTION NO. 1572-CV-00025

AMERICAN CAPITAL ENERGY, INC.,

Plaintiff,

v.

REDWOOD SOLAR DEVELOPMENT LLC,
WESTCHESTER FIRE INSURANCE
COMPANY, CF DENNIS LLC, CF
HARWICH, LLC, CF BARNSTABLE LLC,
CF CHATHAM LLC, and CF EASTHAM
LLC,

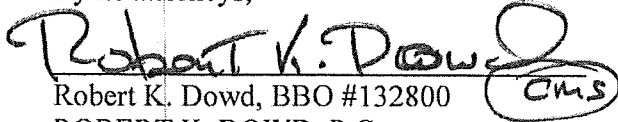
Defendants.

STIPULATION OF DISMISSAL WITH PREJUDICE

The plaintiff and the defendants, pursuant to Mass. R. Civ. P. 41(a)(1)(ii) hereby stipulate and agree that all claims and counterclaims in the above-entitled matter be dismissed with prejudice and without costs.

PLAINTIFF AMERICAN CAPITAL
ENERGY, INC.

By its attorneys,

 *Robert K. Dowd* *CMS*

Robert K. Dowd, BBO #132800

ROBERT K. DOWD, P.C.

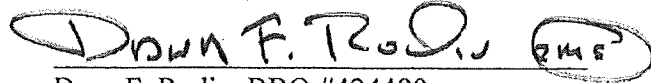
4814 Bengal Street, Unit #1

Dallas, TX 75235

(214) 922-9330

robt dowd@sbcglobal.net

DEFENDANTS CF DENNIS LLC, CF
HARWICH, LLC, CF BARNSTABLE LLC,
CF BREWSTER, LLC, CF CHATHAM, LLC,
and CF EASTHAM, LLC, and Reach and
Apply Defendants, CF CVEC Owner One LLC
and CF CVEC Master Tenant One LLC,
By their attorneys,

 *Dana F. Rodin* *CMS*

Dana F. Rodin, BBO #424480

Leonard H. Freiman, BBO #560233

Peter D. Bilowz, BBO #651383

GOULSTON & STORRS PC

400 Atlantic Avenue

Boston, MA 02110

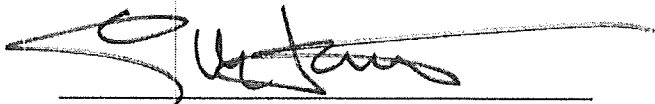
(617) 574-6445

drodin@goulstonstorrs.com

pbilowz@goulstonstorrs.com

DEFENDANTS REDWOOD SOLAR
DEVELOPMENT LLC and WESTCHESTER
FIRE INSURANCE COMPANY,

By their attorneys,

 *Charles M. Sabatt*

Charles M. Sabatt, BBO #436740

Charles M. Sabatt, P.C.

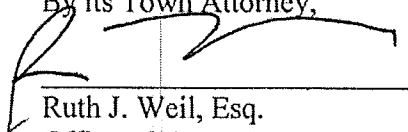
540 Main Street, Suite 8

Hyannis, MA 02601

(508) 775-5050

cms@sabattlaw.com

Reach and Apply Defendant Town of Barnstable,
By its Town Attorney,

 *Ruth J. Weil*

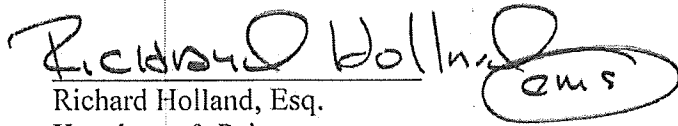
Ruth J. Weil, Esq.

Office of Town Attorney

367 Main Street

Hyannis, MA 02601

Reach and Apply Defendants Towns of Dennis, Eastham and Harwich,
By their Town Counsel,

Handwritten signature of Richard Holland, Esq. The signature is written in cursive and includes the initials "ems" circled at the end.

Richard Holland, Esq.
Kopelman & Paige
101 Arch Street
Boston, MA 02110

Dated: November 21, 2016



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

ADMINISTRATION

DEC 01 2016

Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner

November 29, 2016

Ms. Sheila Vanderhoef, Town Administrator
Town of Eastham
2500 State Road
Eastham, MA 02642

RE: EASTHAM – Public Water Supply
Town of Eastham
PWS ID#: 4086095
Sanitary Survey

Dear Ms. Vanderhoef:

Attached please find a sanitary survey report for a survey performed on the new Town of Eastham municipal drinking water system on September 22, 2016. The survey was performed during the final inspection of the system.

As a result of this inspection, your system was found to have an Adequate Capacity rating. However, your Business Plan is still under review.

The signature on this cover letter indicates formal issuance of the attached document. Please contact Jim McLaughlin at (508) 946-2805 or james.m.mclaughlin@state.ma.us if you have any questions concerning this document.

Sincerely,

Richard J. Rondeau, Chief
Drinking Water Program
Bureau of Water Resources

JM/encl.

Y:\DWP Archive\SERO\Eastham-4086095-Sanitary Survey-2016-11-29

cc: Certified Operator Roy Maher, IV RMaher@Rhwhite.com
Sheila Vanderhoef svanderhoef@eastham-ma.gov
Eastham Board of Health jcrowley@eastham-ma.gov
Mark White mnw@envpartners.com

Public Water System Sanitary Survey

CITY: Eastham
PWSID: 4086095
PWS NAME: Town of Eastham

Survey Date:	September 22, 2016	Report Date:	November 29, 2016
Surveyor:	Jim McLaughlin	Affiliation:	MassDEP-SERO
Surveyor:	Allison Rescigno	Affiliation:	MassDEP-SERO
Person Interviewed:	Roy Maher	Title:	Certified Operator
Person Interviewed:	Mark White	Title:	Consulting Engineer
Person Interviewed:	Paul Millett	Title:	Consulting Engineer
Person Interviewed:	Ryan Trahan	Title:	Consulting Engineer

PUBLIC WATER SUPPLIERS:

Attached is a Sanitary Survey Report for the above referenced sanitary survey site visit.

At the end of the report is a Water System Compliance Plan which consists of the following (checked items only):

- ☐ Table A - Summary of violations and Notice of Noncompliance (if violations were observed during the survey)
- ☐ Table B – Summary of deficiencies and required corrective actions
- ☒ Table C – Recommendations
- ☐ Water supplier response and certification.

Within 30 days of receipt of this inspection report, you must complete and submit the response form if your system has TABLE A–Violations and/or TABLE B-Deficiencies. Attach a copy of each completed table listing the date that the corrective action was or will be taken by your system and all other applicable documentation. (310 CMR 22.04(12))

SYSTEM DESCRIPTION:

The Town of Eastham is constructing a municipal drinking water supply in response to deteriorating water quality in private wells. The Town's closed landfill leached 1,4 dioxane into the groundwater, impacting many private wells. Also, extensive town-wide nitrate monitoring has shown nitrate contamination in private wells from septic systems throughout the town. The Town is planning to begin connecting customers in November, 2016. The initial system consists of two gravel-packed wells, two corrosion control facilities, and one elevated storage tank. Water mains have been installed in the vicinity of the landfill and along the commercialized Route 6. The Town demonstrated during this inspection that it is well prepared to operate a municipal public water system.

ADMINISTRATION:

General System Information

Is this correct? Yes ☒ No ☐

PWSID	CLASS	SEASON_START	SEASON_END	POP_SERVED_SUM	POP_SERVED_WIN	Last_Annual_Stat
4086095	COM	101	1231	2400	800	NEW SYSTEM

Facility Address:

Is this correct? Yes ☒ No ☐

PWS NAME	ADDRESS_1	TOWN	ZIP	EMAIL	PHONE#	FAX#	COMMENTS
TOWN OF EASTHAM	2500 STATE ROAD	EASTHAM	02642		5082405900	5082401291	

Mailing Address:

Is this correct? Yes ☒ No ☐

PWS MAIL NAME	MAIL LINE1	MAIL TOWN NAME	MAIL STATE	MAIL ZIP CODE
TOWN OF EASTHAM	2500 STATE RD	EASTHAM	MA	02642

Contact Information

Is this correct? Yes ☒ No ☐

PWSID	First	M	Last	ADDRESS_1	TOWN	STATE	ZIP	WORK#	PRIMARY
4086095	SHEILA	I	VANDERHOEF	2500 STATE RD	EASTHAM	MA	02642	5082405917	Y

Comments:

Certified Operator Information:

Is this correct? Yes ☒ No ☐

PWSID	First	MI	Last	ADDRESS 1	ADDRESS 2	TOWN	STATE	ZIP	WORK#	HOME#
4086095	ROY		MAHER							

PWSID	First	MI	Last	POSITION	GRADE	LICENSE#	PRIMARY AFFILIATE
4086095	ROY		MAHER	OPERATOR	3T/3D	23819/23650	Y
4086095	RUSSELL		TIERNEY	OPERATOR	3T/4D	12407/7894	N
4086095	JACK		DONOVAN	OPERATOR	1T/3D	12051/24204	N
4086095	ERIC		BURKETT	OPERATOR	3T/3D	23365/23548	N

PWSID	MaxOfTREATMENT CLASS	POPULATION SERVED SUM	DISTRIBUTION CLASS
4086095	I-T	2400	I-D

Does the PWS have a certified operator? (Verify that primary operator listed in WQTS is correct PWS operator)

Yes ☒ No ☐

Are operator grades appropriate for system size and/or treatment type?

Yes ☒ No ☐

Does the system have the correct staffing levels for the system size and grade?

Yes ☒ No ☐

Is certified operator or a backup operator available for emergencies?

Yes ☒ No ☐

Comments:

WhiteWater is the contracted company providing operator oversight of the system during the start-up phases.

OPERATION AND MAINTENANCE:

Is there an adequate spare parts inventory?

Yes ☒ No ☐

Is there an O & M Manual?

Yes ☒ No ☐

Is there a preventative maintenance program?

Yes ☒ No ☐

Are operational records collected appropriately?

Yes ☒ No ☐

Are records properly maintained and available for review?

Yes ☒ No ☐

Frequency of master meter readings? Daily ☒ Monthly ☐ Other ☐

Frequency of distribution meter readings _____ N/A ☐

How frequently are meters calibrated? _____

- The Department recommends that source meters be calibrated on an annual basis.

Are emergency telephone numbers posted?

Yes ☒ No ☐

Is all critical infrastructure locked?

Yes ☒ No ☐

Does the PWS have available an emergency response plan prepared in accordance with the provisions of 310 CMR 22.04(13)?

Yes ☒ No ☐

Does the PWS conduct annual emergency response training in accordance with the provisions of 310 CMR 22.04(13)? (refer to ASR)

Yes ☒ No ☐

Who performs emergency repairs?

(Systems without dedicated staff) WhiteWater operators & contractors

Comments:

Logs and record-keeping procedures have been established. Operators are experienced with similar systems. Electronic databases have been prepared along with a SCADA system.

SOURCES:

PWSID	#Sources	% Ground	%Purch Ground	% SURFACE	%Purch Surface	YEAR	Avg Daily Demand (MGD)	Max Daily Demand (MG)
4086095	2	100	0	0	0	2016		

Surface Water Sources: NONE

Groundwater Sources:

Well Construction Information

Is this correct? Yes ☒ No ☐

Source ID	Source Name	Location	Availability	Well Type	Depth	Pump Setting	Comments
4086095-01G	NRHS WELL	CABLE RD	ACTIVE	GW	94	83	
4086095-02G	DISTRICT G	ROUTE 6	ACTIVE	GW	89	78	

Well Inspection

Source ID	Casing height (ft)	In Pit (Y/N)?	Well House?	Vent Screened?	Seasonal?	Condition?*
4086095-01G	2	N	N	Y	N	NEW
4086095-02G	2	N	N	Y	N	NEW

Are all wells in use approved and recorded in WQTS?

Yes ☒ No ☐

Are all of the wells listed on the sampling schedule?

Yes ☒ No ☐

Are manifolded wells reflected accurately on the schedule?

Yes ☐ No ☐ N/A ☒

*Is the wellhead damaged in a manner that would make the source susceptible to contamination

Yes ☐ No ☒

*Are there unprotected openings in the well cap or casing?

Yes ☐ No ☒

*Is the wellhead, cap, and/or vent subject to flooding?

Yes ☐ No ☒

Are all wells > 100 ft from the nearest surface water? (NC systems)

Yes ☒ No ☐

Is the quantity of water supply adequate?

Yes ☒ No ☐

Do any sources run dry?

Yes ☐ No ☒

If yes, during which periods and how is it handled?

Comments:

New installations – to be activated. Alarms and interlocks were successfully tested during the inspection.

Source Protection:

Is there excessive use of fertilizers or chemicals in Zone I? Yes ☐ No ☒

Are there any known or potential, sources of pollution observed in the Zone I or IWPA (other than those listed in the SWAP report)? Yes ☐ No ☒

Is there an awareness of threats and an attempt to minimize them? Yes ☒ No ☐

Is protection area posted? Yes ☒ No ☐

Are source water protection measures adequate? Yes ☒ No ☐

Comments:

TREATMENT - GENERAL:

Active treatment plant information listed within Department records:

PLNT/SRCE ID	PLNT/SRCE NAME	PLNT AVAIL	PLANT_CAPACITY(MGD)	TREATMENT_CLASS
4086095-01T	NRHS PLANT	ACTIVE	0.883	I-T
4086095-02T	DISTRICT G PLANT	ACTIVE	0.995	I-T

Active treatment process information listed within Department records:

PLNT/SRCE ID	PLNT/SRCE NAME	PLNT AVAIL	OBJECTIVE	PROCESS	CHEMICAL_NAME	COMMENT
4086095-01T	NRHS PLANT	ACTIVE	CORROSION CONTROL	PH ADJUSTMENT	POTASSIUM HYDROXIDE	
4086095-01T	NRHS PLANT	ACTIVE	DISINFECTION	DISINFECTION	SODIUM HYPOCHLORITE	
4086095-02T	DISTRICT G PLANT	ACTIVE	CORROSION CONTROL	PH ADJUSTMENT	POTASSIUM HYDROXIDE	
4086095-02T	DISTRICT G PLANT	ACTIVE	DISINFECTION	DISINFECTION	SODIUM HYPOCHLORITE	

No Treatment ☐ Treatment listed above is correct ☒ Unapproved treatment installed ☐

• Unapproved treatment is subject to MassDEP permit requirements

If a sediment filter is being utilized how often is the filter replaced? N/A

For sources without permanent disinfection: Is an emergency chemical injection port available? Yes ☐ No ☐ N/A ☒

Are there any unprotected bypasses in the treatment process that could result in contamination of finished water? Yes ☐ No ☒ N/A ☐

Is information from the manufacturer available for reference?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Is chemical storage, containment, and safety equipment adequate?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Is equipment properly maintained?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Are "Critical Chemicals" used?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
If so, is an alarm testing procedure written?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Also, is wiring adequate (twist-locks, HOA, etc.)?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Are alarms tested and adequate?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Are chemical treatment forms submitted monthly as required?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Are they completed properly?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Is operator familiar with the treatment system and its operation?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Is the treatment system providing 4-Log inactivation treatment?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Has the system experienced a loss of membrane integrity?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

Comments:

Chemical treatment forms will be completed monthly once the system starts serving customers. Alarms and interlocks were successfully tested during the inspection.

SAMPLING:

PWSID	NO_BACTERIA_SAMPLES	BACTERIA_SAMPLE_FREQ	NO_WINTER_BACT_SAMPLES	WINTER_BACT_SAMPLE_FREQ
4102035	2	MONTH	2	MONTH

Does the system have an approved Total Coliform Sampling Plan?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Have changes been made to the system (population, configuration, storage tanks, etc.) such that the coliform sample plan does not comply with 310 CMR 22.05?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the system taking the correct number of bacteria samples?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Is the system using appropriate coliform sample sites?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Is the system using appropriate source sample sites?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Are raw water sample taps available for all sources?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Comments:

The Department has approved the system's initial Total Coliform Rule (TCR) sampling plan. The system will update its TCR plan as necessary as the service population increases.

STORAGE:

Maintenance and Condition

PWSID#	Storage Tank Name	Storage Type	Tank Material	Capacity (MG)	Last Inspection Date	Last Cleaned Date	Structural Integrity-Condition(1)
4086095	District G Tank	Elevated	Steel	0.75	New 2016	2016	new

- MassDEP recommends storage tanks be inspected and cleaned every 5 years.

Protection and Safety

PWSID	STORAGE TANK NAME	Proper Overflow Structure?	Covered and Locked?(3)	Vented/Screened?(4)	Sample Tap?	High-Low Level Control Alarms?	By-pass for Repair-Cleaning?	Protected from Flooding (>50 ft) or Runoff?(2)	Fenced?
4086095	District G Tank	Y	Y	Y	Y	Y	Y	Y	Y

The storage tanks have nearby injection ports to allow emergency disinfection. Yes ☒ No ☐

The storage tanks are adequately protected against vandalism. Yes ☒ No ☐

⁽¹⁾Are there any holes or failures in the tank roof or structure? Yes ☐ No ☒

⁽²⁾Have any tanks been identified as subject to flooding or run-off? Yes ☐ No ☒

⁽³⁾Are all the tanks protected from unauthorized entry? Yes ☒ No ☐

⁽⁴⁾Is proper screening in place on all overflow pipes and vents? Yes ☒ No ☐

Are monthly storage tank inspection reports available for review? Yes ☒ No ☐

Are annual rooftop inspections conducted? Yes ☒ No ☐

Comments:

Paperwork for monthly inspections is ready to be filled out.

PUMPING STATIONS:

PWSID	Number	LOCATION	AVAILABILITY	WATER TYPE	GPM	EMERG POWER?	MOTOR HP	MOTOR TYPE
4086095	1	NRHS PLANT	ACTIVE	F	825	Y	75	SUB
4086095	1	DISTRICT G PLANT	ACTIVE	F	825	Y	75	SUB

Are all pump stations recorded in WQTS? Yes ☒ No ☐

Is there flooding or standing water in the pump house? Yes ☐ No ☒

Does the air/water relief valve discharge have an air gap? Yes ☒ No ☐

Are there any open floor drains in the facility? Yes ☒ No ☐

Are pump stations adequately maintained? Yes ☒ No ☐

Comments:

Floor drains outlet to drywells that have been registered with the Department's UIC program.

DISTRIBUTION/TRANSMISSION:

Has the system submitted a distribution map to MassDEP Yes ☒ No ☐

Are valve locations known or identified? Yes ☒ No ☐

How many distribution systems are there? 1

Is adequate pressure being maintained? (20-60 psi) Yes ☒ No ☐

The distribution system has 3 dead ends which are flushed Annually or more, bleeders installed

List distribution system weaknesses or problems Low use anticipated during start up

Date of last leak detection survey: new Percent of system surveyed?: _____

Are distribution valves exercised regularly? Yes ☒ Frequency? annual No ☐

Is there a hydrant maintenance program? Yes ☒ No ☐

Is there an adequate flushing program? Yes ☒ No ☐

- The Department recommends that the distribution system be flushed twice a year.

Comments:

Written procedures are in place to maintain the system implementing best practices. Cross connection surveys will be performed as customers are connected.

CROSS-CONNECTIONS / BACKFLOW PREVENTION:

PWSID	DEP APPROVED X-CONN PLAN?	X-CONN SURVEY CONDUCTED?
4086095	Y	Y

CROSS-CONNECTION/BACKFLOW PREVENTION			
Year of last system-wide Cross Connection Survey: <i>to be done as buildings are connected</i>			
Have all high hazard facilities been:	Identified? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Inspected? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Properly protected? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <i>(If no to any of the above, flag as a GWR significant deficiency) (Table A 310 CMR 22.22(3)(c))</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> NA <input type="checkbox"/>
Does the PWS maintain the Cross Connection Documentation on the premises in a readily accessible form? If yes, confirm the following: <i>(If no, Table A 310 CMR 22.22(3)(d))</i> A schedule of all facilities inspected and surveyed: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> A list of all high hazards and date identified: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Records of all device locations (including all testing of devices): Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Related correspondence, including notices of violation: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> List of Surveyors/testers and certificate number: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
Does PWS conduct appropriate enforcement action? <i>(If no, Table A NON Table A 310 CMR 22.22(3)(f))</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
Is there a cross-connection educational program directed toward residential customers? If yes, how is it administered: <input checked="" type="checkbox"/> CCR; <input type="checkbox"/> separate pamphlets; <input type="checkbox"/> hose-bib vacuum breaker distribution; <input checked="" type="checkbox"/> other: <u>website</u> <i>(If no, Table A NON Table A 310 CMR 22.22(3)(f))</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
Has PWS established a standard practice for controlling the hook-up to a fire hydrant by persons other than a water department employee or a member of the fire department? <i>(If no, Table C – Guidelines 9.10.8)</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
Are there Hose Bib vacuum breakers on all threaded faucets in facilities owned by the PWS? <i>(If no, Table A NON Table A 310 CMR 22.22(2)(b))</i>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>

Comments:

Cross connection surveys will be performed as customers are connected. PWS has submitted a Cross Connection Control Program Plan.

OTHER ISSUES OBSERVED:

WATER MANAGEMENT ACT REVIEW (abbreviated)

Permit # 9P2-4-22-086.01 Cape Cod Watershed
Increasing from 0.378 mgd to 0.415 mgd from 3 groundwater points

Statement of Zone I Compliance

- ☒ Your system is currently in compliance with Zone I requirements for the following well(s): 4086095-01G & -02G. Please be advised that any modifications to the Zone I or activities within are subject to DEP approval.
- ☐ Please note that you lack ownership or control of the required **(400 ft)** Zone I protective radius around the following well(s): _____. If you plan to modify or expand this source or to replace any wells, you must notify DEP (in accordance with 310 CMR 22.21(3)(b), 310 CMR 22.04(1) and 22.21(10)(a)). At the time of such notification of a proposed modification or expansion, DEP may require you to comply with the Zone I requirement.
- ☐ You are hereby notified that the following well(s): _____ are in non-conformance with the MassDEP's requirement (310 CMR 22.21(1)(b)(5)) that Zone I activities be limited to those directly related to the provision of public water or will have no significant adverse impact on water quality (as specified in Policy 94-03A). To the extent possible, efforts should be made to reduce or eliminate the impacts of non-conforming uses within the Zone I. Pursuant to 310 CMR 22.04(1) and 22.21(a), you must notify the DEP if you plan to modify or expand your source or to replace any wells. At the time of such notification of a proposed modification, expansion, or replacement, DEP may require you to comply with the Zone I requirement that all Zone I activities be limited to those directly related to water supply or will have no significant impact on water quality.

Non-Conforming activities documented within the Zone I: _____

PRIOR OUTSTANDING ACTIONS

Enforcement Actions - NONE

Inspection Actions - NONE

MANAGERIAL & FINANCIAL QUESTIONS FOR THE SANITARY SURVEY			
<p>1. Does the system actively perform Asset Management which includes the minimum information noted below:</p> <p><input checked="" type="checkbox"/> an inventory of their infrastructure</p> <p><input checked="" type="checkbox"/> the estimated useful life of their assets</p> <p><input checked="" type="checkbox"/> a schedule and a yearly cost estimate for maintaining their assets and</p> <p><input checked="" type="checkbox"/> a long-term replacement plan (sometimes called Capital Improvement Plan) for their assets with a schedule and estimated costs?</p> <p>If yes, does the Capital Improvement Plan or other acceptable capital planning document including items such as:</p> <p><input checked="" type="checkbox"/> a long-term replacement plan for large equipment purchases or construction projects that will be needed over the next 20 years</p> <p>If yes, Is it followed? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p><input checked="" type="checkbox"/> analysis and planning for the future operations, development, improvement, and long-term sustainability of the water system</p> <p>If yes, Is it followed? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p><i>(If no, and there are Table A violations of 310CMR 22.00 – Add to other Table A corrective actions If no and no Table A violations of 310CMR 22.00 – Add to Table B Deficiency - Chapter 11 - Capacity Development and Standard Operation Procedures)</i></p>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
<p>2. Does the system produce a yearly Annual Budget or other document that includes the minimum information noted below?</p> <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"><input checked="" type="checkbox"/> personnel</div> <div style="width: 33%;"><input checked="" type="checkbox"/> training (time & resources)</div> <div style="width: 33%;"><input checked="" type="checkbox"/> testing supplies</div> <div style="width: 33%;"><input checked="" type="checkbox"/> operating expenses</div> <div style="width: 33%;"><input checked="" type="checkbox"/> contract services</div> <div style="width: 33%;"><input checked="" type="checkbox"/> repairs</div> <div style="width: 33%;"><input checked="" type="checkbox"/> a reserve fund to cover capital improvements</div> <div style="width: 33%;"><input checked="" type="checkbox"/> debt service payments</div> <div style="width: 33%;"><input checked="" type="checkbox"/> an emergency fund</div> </div> <p><i>(If no, and there are Table A violations of 310CMR 22.00 – Add to other Table A corrective actions If no and no Table A violations of 310CMR 22.00 – Add to Table B Deficiency - Chapter 11 - Capacity Development and Standard Operation Procedures)</i></p>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
<p>3. Does the system have a written regular Preventive Maintenance Program plan that includes (as necessary): valve maintenance, hydrant testing, water main flushing, pump repair, storage tank inspection and cleaning, regular master meter calibration, and checking the condition of the source well?</p> <p>If yes, Is it followed? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p><i>(If no, and there are Table A violations of 310CMR 22.00 – Add to other Table A corrective actions If no and no Table A violations of 310CMR 22.00 – Add to Table B Deficiency -Chapter 11 - Capacity Development and Standard Operation Procedures)</i></p>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>
<p>Optional: Other useful questions</p> <p>✓ Does the system have an enterprise fund? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/></p> <p>✓ What are the water rates? <i>Increasing block rate outlined in Business Plan</i></p> <p>✓ Are the rates sufficient to cover the true cost of producing and delivering water? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>✓ Are rates adjusted periodically in order to adequately fund the budget? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>✓ Is PWS spending more money than they generate? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>✓ Annual Revenue</p> <p>✓ Annual Expenses</p> <p>✓ Reserve Account Balance</p> <p>✓ Rate of Saving every year</p>			

SUMMARY OF RECOMMENDATIONS

Table A – Violations - NONE

Table B – Deficiencies - NONE

Table C - Recommendations

MassDEP has made note of items with a recommended course of action, summarized in Table C. It is strongly encouraged to follow the recommended actions in order to improve ability to provide a safe supply of drinking water. Failure to do so could eventually lead to violations of the regulations.

	T/F/M	TABLE C - RECOMMENDATIONS
1.	T/M	Submit to DEP by the 10th day of each month following sampling: Form C-ADD for potassium hydroxide and sodium hypochlorite; and Form CI for chlorine residual at bacteria sampling sites. You are encouraged to submit bacteria and other sampling results required by your sampling schedule via E-DEP. Quarterly sampling results are due to DEP by the 10th day following the end of the quarter in which the samples were taken. MassDEP forms (paper or electronic) must be used to report all results.
2.	T/M	Submit your Annual Statistical Report (ASR) online via E-DEP each year by the deadline set by DEP.
3.	T/M	Submit your Consumer Confidence Report and the CCR certification form to DEP by July 1 each year.
4.	T/M	Maintain the following records on site for review during Department inspections: Monthly storage tank inspection forms; annual storage tank inspection results; quarterly chemical alarm & interlock testing; annual emergency response training documentation; emergency situation logs; complaint logs; cross connection survey & testing documentation; and distribution system maintenance logs (flushing logs, leak detection reports, valve exercising logs, etc.)
5.	T/M	Maintain the following documents on site (and update as necessary) for review during Department inspections: Operation & Maintenance (O & M) manuals; preventative maintenance program; Emergency Response Manual; Asset Management System; Asset Management Plan/Capital Improvement Plan; distribution system map; Cross Connection Control Program Plan; Department permit approvals; etc.

T/F/M = Technical/Financial/Managerial aspects of Capacity