

POTENTIAL 2015 FATM ARTICLES

School Van \$24,000
ALS Program Costs \$40,000
Replenish Stabilization Fund (FEMA Reimbursement \$89,145) + \$50,000 Town
OPEB Funding
Solar Zoning Amendment
Police Project Unanticipated Costs \$1.0 million
Library Project \$67,000
Adopt Green Communities Stretch Code
Sewer I/I \$133,000
DPW Roof
CORI Policy
DPW Truck \$216,000 10 wheel, \$179,000 6 wheel, Lease, private owner
Veterans Monument \$57,000 Possible CPA funding \$28,000
Field Design \$10,000
Library parking lot contamination \$36,000
Assessors – Develop neighborhood maps \$1200
Adjust Veterans Budget
Adjust Debt Budget
Adjust Water Enterprise Fund
Adjust Sewer Enterprise Fund
Police Cruiser \$5300
Payment In Lieu of Taxes Agreement (PILOT) Solar Farm
Sale of Cemetery Lots
Ross Ave water main easement taking
Unpaid Bills
Street Acceptance, Evergreen Ter.
Frontier La.
Beech St.,
Housing Production Plan – Needs Analysis and Demand Assessment \$7500
Petitioned article – irrigation systems
Petitioned article – Historical markers
Petitioned article - fields

Transitioning the Fire/Rescue Department from BLS to ALS service

1407

The Millis Fire/Rescue Department provides Basic Life Support (BLS) service to the residents of Millis. We provide a level of service that is second to none and is well respected in the area. With the increased need for Advanced life support (ALS) interventions and the changes in the delivery of medical services throughout the State, I am requesting the Town starts the process of transitioning the current BLS service to the level of ALS. This transition would be done in an incremental phasing aspect. My request would be that the Town funds the training of 2 Firefighters to attend Paramedic school every other year for the next 5 years. Additionally I am requesting that the Town hires 1 firefighter per year for the next 3 years to help ease overtime cost while personnel are attending paramedic school. This would help us achieve the level of 3 personnel per shift at the end of the process, a milestone and recommendation that was done on a study over 5 years ago. With an increase in the level of service there will also be an increase in the revenue generated by the service.

What is the difference between BLS vs. ALS?

Basic Life Support (BLS): To become an EMT in Massachusetts you will need to take 100hrs of classroom, 150hrs of Ambulance ride time and 10hrs of hospital observation. A BLS provider is educated in many skills including CPR, giving patients oxygen, administering glucose for diabetics, and helping others with treatments for asthma attacks or allergic reactions. With very few exceptions, such as in the case of auto-injectors (Epi-pens) for allergic reactions, EMTs are not allowed to provide treatments that requiring breaking the skin: that means no needles. In addition EMT's are trained in trauma assessment, spinal cord stabilization and fracture stabilization. EMT's are trained to assess a patient and determine the need for ALS or even a Medical Helicopter. EMT's are required to obtain 20hrs national, 10hrs local and 10hrs personal continued education training every 2 years to satisfy recertification requirements.

Advanced Life Support (ALS): Is also referred to as a Paramedic, and to become a paramedic you must successfully pass a Paramedic program. The program consists of 1,150 hours of classroom time along with 120hrs of ride time and 120hrs of hospital observation. **Paramedics** are advanced providers of emergency medical care and are highly educated in topics such as anatomy and physiology, cardiology, medications, and medical procedures. They build on their EMT education and learn more skills such as administering medications, starting intravenous lines, providing advanced airway management for patients, and learning to resuscitate and support patients with significant problems such as heart attacks and traumas. Paramedics are trained to recognize life threatening cardiac emergencies pre hospital and have the ability to activate hospital teams such as Cardiac Catheter teams, stroke teams and respiratory teams. Paramedics are certified at the National Level and must complete 72hrs of continued education every 2 years to satisfy recertification requirements.

Our system currently: Currently the department runs at the BLS level, when arriving on scene the personnel must determine the need for ALS. Upon that determination, dispatch personnel must contact a private organization (Events EMS) out of Medway and await their arrival before transporting to the closest facility. Events has been a great resource for the Town, but with the increase in request for ALS for area towns at times crews must locate ALS from another provider further delaying the transport to the hospital. As an EMS provider our first priority is quick response, quick assessment and timely transport to a local facility. Millis averages a 4 minute response to any household in town, Events after notification (which is after the 4 minute response, 2-3 minute assessment) is 5 minutes for a total of 10-12 minutes. This is a delay that would improve greatly with the addition of Paramedics.

Why make the transition?

Our job is to provide the best possible service to our residents, by transitioning the department to ALS we will be doing that. Paramedics give us the best ability to recognize, evaluate and treat life threatening emergencies. ALS has become the standard of care in the State of Massachusetts, the majority of towns and cities have made the transition and will continue to. New national standards have set forth a push to improve EMS services. Our current ALS provider is doing a satisfactory job, the concern is how long will they still be available or in business. My goal is to eliminate the possibility that we will be without ALS services in the future. Relying on area Fire Departments only places a stress on their town services and leaves us with limited availability. In adding Fulltime staff helps us reduce overtime cost during the transition and build our department into an efficient and safe provider.

With replacing our ambulance in 2 years we would be able to keep the current as a second/backup ambulance. Currently we miss approx. 75-80 second medicals, mutual aid has to cover, that revenue goes to those towns.

Area Towns: Out of the 28 Norfolk County Communities, 24 are at the ALS level. The remaining 4 are Millis, Medway, Medfield and Dover. The Town of Medway recently began the transition process and are sending firefighters to a Paramedic program. Medfield has some paramedics on staff and are considering hiring paramedics to meet state requirements. Dover is still an all call ambulance service and utilize area fire departments (Westwood and Needham) for their ALS requirements.

Budget:

Current National Accredited Paramedic Program: \$7,900 x2ffs = **\$15,800**

1 FF/EMT will need to be covered while in the program and 1 FF/EMT will be moved to the 3 man group which will reduce to 2 men during classes and then to full strength at night after class.

35x10hr shifts/350hrs @37.26hr=**\$13,041**

Avg 6 sick days x 2 FF=**\$5,500**

Avg 6 Vac/Personal days x 2 FF=**\$5,500**

Total for class, shift coverage and sick/vac/pers day= \$39,841

Hiring 1 Fulltime Firefighter/EMT:	ALS salary:	$\$25.68/\text{hr} \times 42 \times 52 =$	\$56,085
	EMT Stipend:		\$1,103
	FF Stipend:		\$542
	Vacation:		\$3,700
	Sick Days:		\$4,622
	Health Insurance:		\$16,128
	Turnout Gear:		\$3,000
	Total:		\$85,180

The budget below shows starting the program in January and hiring in January to reduce initial cost by starting halfway through the budget.

	Year 1 FY16	Year 2 FY17	Year 3 FY18	Year 4 FY19	Year 5 FY20	Year 6 FY21
ALS 1	\$10,000	\$20,000	\$6,800	\$6,950	\$7,100	\$7,242
ALS 2	\$10,000	\$20,000	\$6,800	\$6,950	\$7,100	\$7,242
NEW HIRE 1		\$42,590	\$86,883	\$88,621	\$90,393	\$92,201
ALS 3			\$11,000	\$23,100	\$7,100	\$7,242
ALS 4			\$11,000	\$23,100	\$7,100	\$7,242
NEW HIRE 2			\$43,441	\$88,621	\$90,393	\$92,201
ALS 5					\$11,000	\$22,440
NEW HIRE 3				\$44,310	\$90,393	\$92,201
TOTALS	\$20,000	\$82,590	\$165,924	\$281,652	\$310,579	\$328,011

Ambulance Revenue:

Currently the ambulance rates for BLS are: \$1,160

Current ambulance rates for ALS are: \$1,993

FY 12 Ambulance Revenue: \$271,562.28

FY 13 Ambulance Revenue: \$306,446.04

FY 12/13 ALS service Paid to Events EMS \$76,250

This does not include fees paid to Norfolk or Westwood Fire or any of the other ALS services that provided service to our town.

9/4/15 ALS

- \$7900 / person / class

- 1200 Classroom hour

120 Ride time

120 hospital observation

- 18 months (2 BUDGETS START JANUARY)

- over a year 35 ~~day~~ 10 hour shifts need to be filled by
OT - of 24 hour shift

35

10

350 hours @ \$37.26/hr = \$13,041 (2 FF)

- \$7900

\$7900

*13,041

\$28,841 say \$29000

- Move shifts while in class, 1 trainee moves to 3
person shift, other trainee fill with OT cost

- an avg 5-6 sick days/yr, 1 day OT equals ~~average~~

\$447.12

* 6 sick days

* 2 FF

\$5365 say \$5500

29000

29000 school

5500 SD

5500 Contingency

40,000

- No FLSA impact as long as Union + town agree that non scheduled days of training are not paid - its voluntary

- 265 growth
 190 EST
 105 available

- FC Already in budget

62,394 budget

35,000 Audit

5000 Medicaid

79,000 DP-School

70,000 Bus lease

251,394

44,000

exit approp

295,394

- add 1 FF/EMT PARA medic / yr over next 3 yrs

FF/MS \$25.68/hr x 42 x 52 = 56,085

EMT stip 1103

FF stip 542

VAC ~~38.52~~ x 38.52 (1.5x) x 96 ~~3700~~

Sick 38.52 x 120 hrs 3214 4622

Bus 16,129

1,000

82,180

FY 1 FY 16

2

FY 17

3

FY 18

4

FY 19

5

6

ALS 1

20,000
10,000

20,000

6,800

6,950

7,100

7,242

ALS 2

10,000

20,000

6,800

6,950

7,100

7,242

ALS 3

11,000

23,100

7,100

7,242

ALS 4

11,000

23,100

7,100

7,242

New Hire 1

42,590

86,683

88,621

90,393

92,201

New Hire 2

43,441

88,621

90,393

92,201

ALS 5

22,440

11,000

44,310

90,393

92,201

20,000

82,590

165,924

281,652

310,579

328,011

PROJECT COST					
ITEM	CODE	NARRATIVE	QUANTITY/UNIT	UNIT PRICE	COST
		*** Version 0 ***			
		Work Completed			
1	9001	CONTRACT SERVICES	1/LS	\$ 29,419.00	\$ 29,419.00
2	9901	DIRECT ADMINISTRATIVE COSTS	1/LS	\$ 102.00	\$ 102.00
				TOTAL COST	\$ 29,521.00
PREPARED BY SANDY YOUNG			TITLE Project Specialist	SIGNATURE	<i>Sandy K. Young</i>
APPLICANT REP. Charles Aspinwall			TITLE Town Administrator	SIGNATURE	<i>Charles Aspinwall</i>

MILLIS (TOWN OF) :					
Conditions Information					
Review Name	Condition Type	Condition Name	Description	Monitored	Status
No Conditions					

Internal Comments				
No.	Queue	User	Date/Time	Reviewer Comments
No Comments				

Contractor performed temporary patch then checked for leaks in main building (invoice # 4783). Applicant stated: The Amana Invoice was to address Ice Dam Removal. The Barrett & Gibson invoices for the library were for snow removal from two different sections of the library. Applicant Amana was equipped with the proper equipment (high reach with chain saws) to cut down the huge ice accumulation. There were two sections of the library. Barrett could only do one section (snow removal) and was not able to return back due to other commitments. Gibson had to come in to finish up the library for the snow removal. Due to the high demand on contractors after the snow storm, applicant was unable to procure immediate contractor with the specialized equipment until 3/26/15. At that time Contractor Gibson was able to finish up the library roof top.

Contract

Applicant contracted with three contractors to perform snow removal from roof top during the emergency. Copies of cancelled checks have been provided and uploaded into EMMIE. Costs incurred: \$29,419.00

DAC: \$102.00

DIRECT ADMINISTRATIVE COSTS:

The subgrantee is requesting direct administrative costs that are directly chargeable to this specific project. Associated eligible work is related to the administration of this PA project only and in accordance with 44 CFR 13.22. These costs are treated consistently and uniformly in all federal awards and other subgrantee activities and are not included in any approved indirect cost rates.

CONTRACT/MATERIAL PURCHASES:

100% of all received invoices, and cancelled checks (or other proofs of payment) have been reviewed and are attached as supporting documentation.

PROCUREMENT:

The Applicant has been advised by FEMA PAC and/or Project Specialist that in the seeking of proposals and letting of contracts for eligible work, the Applicant must comply with its Local, State and/or Federal procurement laws, regulations, and procedures.

The federal regulations at 2 C.F.R. §§ 200.317 to 326 set forth various procurement standards that a non-Federal entity must follow when using FEMA Public Assistance funding to finance procurements of property and services to perform the scope of work under a Public Assistance award. As detailed in those regulations, a state must use the same policies and procedures that it uses for procurements from its non-Federal funds.

2 C.F.R. § 200.317. A state must also comply with 2 C.F.R. § 200.322 (Procurement of Recovered Materials), must ensure that every purchase order or other contract included any clauses required by 2 C.F.R. § 200.326 (Contract Provisions), and must follow all applicable federal laws, executive orders, and implementing regulations.

All other non-Federal entities, including non-state subrecipients of a state, must follow the regulations at 2 C.F.R. § 200.318 (General Procurement Standards) through 2 C.F.R. § 200.326 (Contract Provisions). A non-Federal entity, however, may continue to apply with the former procurement standards applicable to FEMA awards formerly located at 44 C.F.R. Part 13 (for states, local, and Indian tribal governments) or 2 C.F.R. Part 215 (for institutions of higher education, hospitals, and other nonprofit organizations) until the completion of one additional fiscal year after December 26, 2014. 2 C.F.R. § 200.110(a).

This is an elective grace period and, if a non-Federal entity chooses to use the previous procurement standards before adopting the procurement standards in 2 C.F.R. pt. 200, must document this decision in its internal procurement policies.

Records Retention. The FEMA-State Agreement and 2 C.F.R. § 200.333 set forth the records retention requirements under the Public Assistance grant. The State is required to retain records for 3 years (except in certain rare circumstances described in 2 C.F.R. § 200.333) from the date it submits the final Federal Financial Report (SF 425) for the entire Public Assistance grant to FEMA in compliance with 2 C.F.R. § 200.333, notwithstanding the time period prescribed for subrecipients.

Subrecipients are required to retain records for 3 years from the date that the State submits to FEMA the final expenditure report for the subrecipient. The final expenditure report for the subrecipient is the quarterly progress report in which the State indicates it reflects the last and final expenditures for the subrecipient for the Public Assistance grant.

FEMA will not confirm the quarterly progress report as the final expenditure report for a particular subrecipient until the State has submitted all outstanding information and certifications required in 44 C.F.R. § 206.205 for all the subrecipient's costs and work for the major disaster. See FEMA-State Agreement, ¶¶ V(E) and VI(E)."

Small projects, any category.

For small projects FEMA pays based on the actual or estimated cost in order to expedite the funds (Digest pg 121.) FEMA does not perform final inspections on small projects; however, the state must certify compliance. The applicant does have the ability to request a small project netting (appeal) if/when significant net small over-runs occur.

This process will involve a review of all documentation for all small projects and an adjustment will be made for the total actual eligible dollars spent (over-run/under-run). A final Project Worksheet will then be required in EMMIE to capture all the eligible PA costs for the small projects.

Does the Scope of Work change the pre-disaster conditions at the site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Special Considerations Included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Hazard Mitigation proposal included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is there insurance coverage on this facility? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

<u>P</u>	
Applicant Name:	Application Title:
MILLIS (TOWN OF)	MILLB02 Roof Cleaning
Period of Performance Start:	Period of Performance End:
	10-13-2015

Subgrant Application - Entire Application

Application Title: MILLB02 Roof Cleaning
Application Number:
Application Type: Subgrant Application (PW)

Bundle Reference # (Amendment #)	Date Awarded

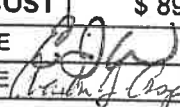
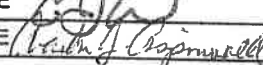
Subgrant Application - FEMA Form 90-91

FEDERAL EMERGENCY MANAGEMENT AGENCY PROJECT WORKSHEET					
DISASTER		PROJECT NO.	PA ID NO.	DATE	CATEGORY
FEMA	4214 - DR -MA	MILLB02	021-41515-00	07-08-2015	B
APPLICANT: MILLIS (TOWN OF)			WORK COMPLETE AS OF: 03-28-2015 : 100 %		
Site 1 of 1					
DAMAGED FACILITY:			COUNTY: Norfolk		
Town Of Millis					
LOCATION:				LATITUDE:	LONGITUDE:
Current Version: 900 Main St Millis, MA				42.172342	-71.351605
DAMAGE DESCRIPTION AND DIMENSIONS:					
<p>Current Version:</p> <p>During the declared incident period of January 26-28, 2015 the applicants county had record or near record snowfall. It has been determined that it was beyond local and state capabilities to adequately respond. Record or near record snowfall accompanied by icing conditions was deposited on public roads, Right of ways, pedestrian walkways, parking lots, and other publicly maintained properties. Snow accumulate on six of the public buildings (1.Millis Library, 2.Millis Town Hall, 3.Millis Police Station, 4&5 Two School buildings, and 6.Treatment Plant). Snow removal and spreading of salt and other abrasives were determined to be eligible emergency measures taken to save lives, protect public health and safety, and to protect improved property.</p>					
SCOPE OF WORK:					
<p>Current Version:</p> <p>Snow removal from roofs of municipal property; WORK COMPLETED - The applicant took such actions as necessary to save lives, protect public health and safety and protect improved property.</p> <p>The town of Millis deemed it was necessary to remove the snow from the municipal property to prevent a roof collapse due to the excessive snow load from the declared storm. The applicant hired three contractors to clear off snow from roof tops of the public buildings</p> <p>1. Millis Library GPS: 42.165609 -71.363445, 2. Town Hall GPS: 42.167395 -71.358770, 3.Police Station, two Schools 4.Brown School GPS: 42.164797 -71.360373 and 5. Brown High School 42.162584 -71.357891) 6 Water Treatment Plant, DPW GPS: 42.172342 - 71.351606. While removing snow Gibson Roofs, INC. noticed torn pipe boot.</p>					

subrecipient. The final expenditure report for the subrecipient is the quarterly progress report in which the State indicates it reflects the last and final expenditures for the subrecipient for the Public Assistance grant. FEMA will not confirm the quarterly progress report as the final expenditure report for a particular subrecipient until the State has submitted all outstanding information and certifications required in 44 C.F.R. § 206.205 for all the subrecipient's costs and work for the major disaster. See FEMA-State Agreement, ¶¶ V(E) and VI(E)."

Small projects, any category.

For small projects FEMA pays based on the actual or estimated cost in order to expedite the funds (Digest pg 121.) FEMA does not perform final inspections on small projects; however, the state must certify compliance. The applicant does have the ability to request a small project netting (appeal) if/when significant net small over-runs occur. This process will involve a review of all documentation for all small projects and an adjustment will be made for the total actual eligible dollars spent (over-run/under-run). A final Project Worksheet will then be required in EMMIE to capture all the eligible PA costs for the small projects.

Does the Scope of Work change the pre-disaster conditions at the site? Yes <input checked="" type="checkbox"/> No		Special Considerations included? Yes <input checked="" type="checkbox"/> No			
Hazard Mitigation proposal included? Yes <input checked="" type="checkbox"/> No		Is there insurance coverage on this facility? Yes <input checked="" type="checkbox"/> No			
PROJECT COST					
ITEM	CODE	NARRATIVE	QUANTITY/UNIT	UNIT PRICE	COST
		*** Version 0 ***			
		Work Completed			
1	9007	LABOR	1/LS	\$ 11,685.63	\$ 11,685.63
2	9008	EQUIPMENT	1/LS	\$ 22,289.88	\$ 22,289.88
3	9009	MATERIALS	1/LS	\$ 13,778.97	\$ 13,778.97
4	9001	CONTRACT SERVICES	1/LS	\$ 41,202.77	\$ 41,202.77
		Direct Subgrantee Admin Cost			
5	9901	DIRECT ADMINISTRATIVE COSTS	1/LS	\$ 382.50	\$ 382.50
				TOTAL COST	\$ 89,339.75
PREPARED BY SANDY YOUNG			TITLE Project Specialist		SIGNATURE 
APPLICANT REP. Charles Aspinwall			TITLE Town Administrator		SIGNATURE 

MILLIS (TOWN OF) :					
Conditions Information					
Review Name	Condition Type	Condition Name	Description	Monitored	Status
No Conditions					
Internal Comments					
No.	Queue	User	Date/Time	Reviewer Comments	
No Comments					

Project Specialist assigned.**Force Account Labor**

The Applicant has provided copies of timesheets, a letter detailing the applicant's overtime(OT) labor policy, a payroll voucher summary, and assisted this writer with detailing the payroll data sheet. The FEMA Force Account Labor sheets have been used. These items are uploaded into EMMIE. Cost incurred: \$12,971.07 - \$1,285.44 = \$11,685.63.

Note: "The cost of straight-time salaries and benefits of an applicant's permanently employed personnel is not eligible in calculating the cost of eligible Category B emergency work (FEMA Policy 9525.7). The eligible cost is the extra amount incurred by the applicant. Even though an applicant paid the overtime rate on all hours, the straight-time portion of that rate is not eligible. If the first 8 hours were paid at 1.5X, the eligible extra cost is the .5X portion." See straight time deduction sheet attached.

Force Account Equipment

This writer has completed the FEMA Force Account Equipment sheets. Equipment hours exceed labor hours due to multiple pieces of equipment being attached to the base trucks. These are uploaded into EMMIE. FEMA equipment rates have been used. Cost incurred: \$22,289.88.

Materials

Applicant has provided a letter detailing how they have arrived to the amount of salt and sand used during the 48 hour emergency window. The FEMA Materials summary sheet has been used detailing the suppliers used:

1. Troop 15.
2. Morton Salt.
3. S.M Lorusso and Sons Inc.
4. DPW Employees

Copies of cancelled checks have been provided and uploaded into EMMIE. Costs incurred: \$13,778.97.

DPW's Labor Union Contract, section 3, includes language referencing employer provided meals.

Contract:

Applicant contracted with seven contractors to augment force account efforts during the emergency:

1. Barrett's Truck and Equipment
2. D.P and Sons
3. V.G Howley
4. W. Podzka and Son's Landscape Contractor Inc.
5. Rossi Plowing and Sanding
6. Start to finish Tree and Landscape
7. Domenic Tiberi

Note: Barrett's Truck & Equipment; states snow plowing /hauling. There were no hauling. This is just a standard invoice for this contractor. Applicant was not charged for hauling. Cost incurred, \$41,202.77.

DIRECT ADMINISTRATIVE COSTS: The subgrantee is requesting direct administrative costs that are directly chargeable to this specific project. Associated eligible work is related to the administration of this PA project only and in accordance with 44 CFR 13.22. These costs are treated consistently and uniformly in all federal awards and other subgrantee activities and are not included in any approved indirect cost rates. DAC: \$382.50

CONTRACT/MATERIAL PURCHASES: 100% of all received invoices, and cancelled checks (or other proofs of payment) have been reviewed and are attached as supporting documentation.

HAZARD MITIGATION PROPOSAL: No measure has been considered feasible/reasonable and no further action is required for the HMP. Applicant is not requesting HMP.

PROCUREMENT: The Applicant has been advised by FEMA PAC and/or Project Specialist that in the seeking of proposals and letting of contracts for eligible work, the Applicant must comply with its Local, State and/or Federal procurement laws, regulations, and procedures. The federal regulations at 2 C.F.R. §§ 200.317 to 326 set forth various procurement standards that a non-Federal entity must follow when using FEMA Public Assistance funding to finance procurements of property and services to perform the scope of work under a Public Assistance award. As detailed in those regulations, a state must use the same policies and procedures that it uses for procurements from its non-Federal funds. 2 C.F.R. § 200.317. A state must also comply with 2 C.F.R. § 200.322 (Procurement of Recovered Materials), must ensure that every purchase order or other contract included any clauses required by 2 C.F.R. § 200.326 (Contract Provisions), and must follow all applicable federal laws, executive orders, and implementing regulations. All other non-Federal entities, including non-state subrecipients of a state, must follow the regulations at 2 C.F.R. § 200.318 (General Procurement Standards) through 2 C.F.R. § 200.326 (Contract Provisions). A non-Federal entity, however, may continue to apply with the former procurement standards applicable to FEMA awards formerly located at 44 C.F.R. Part 13 (for states, local, and Indian tribal governments) or 2 C.F.R. Part 215 (for institutions of higher education, hospitals, and other nonprofit organizations) until the completion of one additional fiscal year after December 26, 2014. 2 C.F.R. § 200.110(a). This is an elective grace period and, if a non-Federal entity chooses to use the previous procurement standards before adopting the procurement standards in 2 C.F.R. pt. 200, must document this decision in its internal procurement policies.

Records Retention. The FEMA-State Agreement and 2 C.F.R. § 200.333 set forth the records retention requirements under the Public Assistance grant. The State is required to retain records for 3 years (except in certain rare circumstances described in 2 C.F.R. § 200.333) from the date it submits the final Federal Financial Report (SF 425) for the entire Public Assistance grant to FEMA in compliance with 2 C.F.R. § 200.333, notwithstanding the time period prescribed for subrecipients. Subrecipients are required to retain records for 3 years from the date that the State submits to FEMA the final expenditure report for the

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Applicant Name:	Application Title:
MILLIS (TOWN OF)	MILIB01 48 Hour snow period
Period of Performance Start:	Period of Performance End:
	10-13-2015

Subgrant Application - Entire Application

Application Title: MILIB01 48 Hour snow period

Application Number:

Application Type: Subgrant Application (PW)

Bundle Reference # (Amendment #)	Date Awarded

Subgrant Application - FEMA Form 90-91

FEDERAL EMERGENCY MANAGEMENT AGENCY PROJECT WORKSHEET					
DISASTER		PROJECT NO.	PA ID NO.	DATE	CATEGORY
FEMA	4214 - DR -MA	MILIB01	021-41515-00	07-11-2015	B
APPLICANT: MILLIS (TOWN OF)			WORK COMPLETE AS OF:		
			01-28-2015 : 100 %		
Site 1 of 1					
DAMAGED FACILITY:			COUNTY: Norfolk		
Town Of Mills					
LOCATION:				LATITUDE:	LONGITUDE:
				42.16689	-71.35815
Current Version: Town of Mills 900 Main St, Mills, MA 02054					
DAMAGE DESCRIPTION AND DIMENSIONS:					
<p>Current Version:</p> <p>During the declared incident period of January 26-28, 2015 the applicants county had record or near record snowfall. It has been determined that it was beyond local and state capabilities to adequately respond. Record or near record snowfall accompanied by icing conditions was deposited on public roads. Right of ways, pedestrian walkways, parking lots, and other publicly maintained properties. Snow removal and spreading of salt and other abrasives were determined to be eligible emergency measures taken to save lives, protect public health and safety, and to protect improved property.</p>					
SCOPE OF WORK:					
<p>Current Version:</p> <p>WORK COMPLETED -</p> <p>The applicant took such actions as necessary to save lives, protect public health and safety and protect improved property. The applicant's most critical needs began at 1530 hours on January 26, 2015, and extended for an eligible period of 48 continuous hours until January 28, 2015, at 1530 hours.</p> <p>The applicant maintains 104 miles of roadway for snow and ice operations and municipal properties. A total of 200.89 tons of salt, 74.4 tons of sand and were spread along the roadways as per the DPW Superintendent and the daily logs. 550,580 lbs. of AGG = 882.34 lbs. lane miles.</p> <p>Eligible work performed for this 48 hour time period includes plowing and removing snow from roads and town maintained areas, spreading of salt and other abrasives on roads and town maintained areas. All documentation was reviewed and cost found reasonable by the FEMA</p>					

SECTION I

PRINCIPAL RESULTS OF THE VALUATION

Town of Millis
Assuming Pay-as-you-go funding - 4.00% discount rate
Comparison of Plan Liabilities to Prior Valuation

	<u>July 1, 2014</u>	<u>July 1, 2012</u>
I. Present Value of Future Benefits		
A. Actives	24,091,091	22,010,890
B. Retirees/Disabled	<u>9,872,543</u>	<u>10,095,283</u>
C. Total	33,963,634	32,106,173
II. Present Value of Future Normal Cost	13,682,260	12,820,413
III. Actuarial Accrued Liability (Projected Unit Credit)		
A. Actives	10,408,831	9,190,477
B. Retirees/Disabled	<u>9,872,543</u>	<u>10,095,283</u>
C. Total	20,281,374	19,285,760
IV. Plan Assets	100,300	0
V. Unfunded Actuarial Accrued Liability ("UAAL") [III. - IV.]	20,181,074	19,285,760
VI. Funded Ratio [IV. / III.]	0.49%	0.00%
VII. Annual Covered Payroll	N/A	N/A
VIII. UAAL as % of Covered Payroll	N/A	N/A
IX. Net OPEB Obligation (Asset) @ Beginning of Fiscal Year	6,914,536	4,475,056
X. Number of Eligible Participants		
A. Actives	307	287
B. Retirees/Disabled	<u>156</u>	<u>152</u>
C. Total	463	439
For Fiscal Year Ending June 30, 2015		
	<u>June 30, 2015</u>	<u>June 30, 2013</u>
XI. Normal Cost	966,487	915,707
XII. Amortization of UAAL - 30 year flat dollar	1,010,152	1,010,152
XIII. Annual Required Contribution ('ARC') [XI. + XII.]	1,976,639	1,925,859
XIV. Interest on Net OPEB Obligation (Asset)	276,583	179,001
XV. Adjustment to Annual Required Contribution	(384,488)	(248,839)
XVI. Amortization of Actuarial (Gains) / Losses	231,486	138,732
XVII. Annual OPEB Expense [XIII. + XIV. + XV. + XVI.]	2,100,220	1,994,753
XVIII. Employer Share of Costs	691,462	752,900
XIX. Extra Employer Payments to OPEB Trust	0	0
XX. Total Employer Contribution [XVIII. + XIX.]	691,462	752,900
XXI. Percentage of Annual OPEB Expense Contributed	32.9%	37.7%
XXII. Net OPEB Obligation (Asset) at Beginning of Year [IX.]	6,914,536	4,475,056
XXIII. Increase (Decrease) in Net OPEB Obligations (Asset) [XVII. - XX.]	1,408,758	1,241,853
XXIV. Net OPEB Obligation (Asset) at End of Year [XXII. + XXIII.]	8,323,294	5,716,909
XXV. Discount Rate	4.00%	4.00%

TOWN OF MILLIS STABILIZATION FUND POLICY

- General Fund Budget Expenditures shall be the base upon which the Stabilization reserve will be calculated.
- The annual calculation for the Stabilization Fund/Free Cash reserve shall be made as of June 30 and shall be considered prior to annual fall town meeting appropriation recommendations.
- The Town's goal shall be to have at least 5% of General Fund Budget Expenditures on hand in the Stabilization reserve as of June 30.
- If the Town does not meet the 5% goal, then funds shall be appropriated in subsequent Town Meetings to replenish the Stabilization Reserve to the 5% level. A minimum of \$50,000 per annual fall town meeting shall be appropriated to the Stabilization Reserve to reach the 5% goal.
- If the 5% goal is met, then a minimum of \$50,000 shall be appropriated to the OPEB Trust fund. If only a portion of the \$50,000 is needed for the Stabilization fund then the balance of the funds will be appropriated to the OPEB Trust fund.
- The Stabilization Reserve Fund may be used for any lawful purpose but should typically be used only for unforeseen and emergency purposes.
- If use of the Stabilization Reserve Fund for unforeseen and emergency purposes drops the fund balance below the 5% goal then the town shall develop a funding schedule to re-attain the 5% goal within three years or less.

Town Counsel Review: August 7, 2105

Town of Millis Large-Scale Ground-Mounted Solar Photovoltaic Installations
Zoning By-law Warrant Article

Article _____: To see if the Town will vote to amend the Zoning Bylaws, as most recently amended, by amending the various sections identified herein as follows, or to take any other action related thereto:

By amending Section V, Use Regulations, Table 1, Use Regulations, by inserting a new Principal Use #20 for “Large-Scale Ground-Mounted Solar Photovoltaic Installations with Rated Nameplate Capacity of 250 Kw DC or more” under the heading “Wholesale, Transportation & Industrial” and by inserting in the columns for the various Zoning Districts that such use is allowed by right, by special permit or prohibited as follows:

	R-T	R-S	R-V	R-V-C	C-V	C-V-2	V-B	I-P	I-P-2
20. Large-Scale Ground-Mounted Solar Photovoltaic Installations with Rated Nameplate Capacity of 250 Kw DC or more.	<u>NSPB</u>	<u>NSPB</u>	N	N	N	N	N	P	P

And by adding a new Section XXI - Large-Scale Ground-Mounted Solar Photovoltaic Installations as follows:

Section XXI - Large-Scale Ground-Mounted Solar Photovoltaic Installations

1. Purpose:

The purpose of this Bylaw is to promote the creation of new Large-Scale Ground-Mounted Solar Photovoltaic Installations by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and to provide adequate financial assurance for the eventual decommissioning of such installations.

The provisions set forth in this section shall apply to the construction, operation, and/or repair of Large-Scale Ground-Mounted Solar Photovoltaic Installations.

2. Applicability:

This section applies to Large-Scale Ground-Mounted Solar Photovoltaic Installations (LGSPI) proposed to be constructed after the effective date of this section. This section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.

The provisions set forth in this Section shall apply to the construction, operation and/or repair of Large-Scale Ground-Mounted Solar Photovoltaic Installations with a Rated Nameplate Capacity of

from 250 kW DC or more.

3. Definitions:

The following definitions shall apply:

As-of-Right Siting: As-of-Right Siting shall mean that development may proceed without the need for a special permit, variance, amendment, waiver, or other discretionary approval. As-of-right development may be subject to site plan review to determine conformance with local zoning bylaws. Projects cannot be prohibited, but can be reasonably regulated by the Building Inspector and the Planning Board.

Building Permit: A construction permit issued by an authorized building inspector; the building permit evidences that the project is consistent with the state and federal building codes as well as local zoning bylaws, including those governing ground-mounted large-scale solar photovoltaic installations.

Designated Location: The location(s) designated herein where Large-Scale Ground-Mounted Solar Photovoltaic Installations with a Rated Nameplate Capacity of 250kW or more may be sited As-of-Right in the I-P and I-P-2 Districts as shown on the Town of Millis zoning maps.

Large-Scale Ground-Mounted Solar Photovoltaic Installation (LGSPI): A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and has a Rated Nameplate Capacity of 250 kW DC or more.

Rated Nameplate Capacity: The maximum rated output of electric power production of the photovoltaic system in Direct Current (DC).

Site Plan Review: Review by the Site Plan Review Authority Planning Board to determine conformance with local zoning bylaws.

Special Permit: A right or permit granted by the Planning Board pursuant to the authority of MGL c. 40A, § 9 for a purpose specified in this Chapter as one subject to a special permit, following upon review and provided that the conditions required herein and the reasonable conditions established set by the Board are satisfied.

Solar Photovoltaic Array: An arrangement of solar photovoltaic panels.

Zoning Enforcement Authority: The Building Inspector.

4. General Requirements for all Large-Scale Ground-Mounted Solar Power Generation Installations:

The following requirements are common to all LGSPI to be sited in designated locations or permitted by way of special permit in Millis.

Compliance with Laws, By-Laws and Regulations: The construction and operation of all LGSPI

shall be consistent with all applicable local, state and federal requirements including, but not limited to, all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a LGSPI shall be constructed in accordance with the State Building Code.

Building Permit and Building Inspection: No LGSPI shall be constructed, installed or modified as provided in this section without first obtaining a building permit.

Fees: The applications for a Site Plan Review, a Building Permit, and any other permits related to a LGSPI must be accompanied by the required fees.

5. Site Plan Review:

LGSPI shall undergo site plan review prior to construction, installation or modification as provided in this section.

General: All plans and maps shall be prepared, stamped and signed by a Professional Engineer licensed to practice in Massachusetts.

Required Documents:

An application for LSGPI site plan shall include the following documents:

- (a) A site plan showing:
 - i. Property lines and physical features, including roads, for the project site;
 - ii. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures;
 - iii. Blueprints or drawings of the solar photovoltaic installation signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures; and
 - iv. One or three line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices;
 - v. Documentation of the major system components to be used, including the PV panels, mounting system, and inverter;
 - vi. Name, address, and contact information for proposed system installer;

- vii. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any; and
 - viii. The name, contact information and signature of any agents representing the project proponent.
- (b) Documentation of actual or prospective access and control of the project site (see also Section entitled "Site Control");
 - (c) An operation and maintenance plan (see also Section entitled "Operation and Maintenance Plan");
 - (d) Zoning district designation for the parcel(s) of land comprising the project site (submission of a copy of a zoning map with the parcel(s) identified is suitable for this purpose);
 - (e) Proof of liability insurance;
 - (f) A public outreach plan, including a project development timeline, which indicates how the project proponent will meet the required site plan review notification procedures and otherwise inform abutters and the community; and
 - (g) Description of financial surety plan.

The Planning Board may waive documentary requirements for good cause.

Upon receipt of an application for site plan approval of a LGSPI, the Planning Board may engage, at the applicant's cost, professional and technical consultants, including legal counsel, to assist the Board with its review of the application in accordance with the requirements of Section 53G of Chapter 44 of the Massachusetts General Laws. The Planning Board may direct the applicant to deposit funds with the Planning Board for such review at the time the application is accepted, and add additional funds as needed upon notice. Failure to comply with this section shall be good grounds for denying the application. Upon approval of the application, any excess amount in the account attributable to the project, including any interest accrued, shall be repaid to the applicant.

6. Special Permit:

An LGSPI may be erected in zones R-T and R-S, upon the issuance of a special permit and site plan approval from the Planning Board, on a provided that the subject lot containing a minimum of five (5) acres and satisfies the dimensional and screening and buffering requirements set forth herein and the reasonable requirements established by the Planning Board.

All LGSPI subject to special permit requirements shall conform to the following provisions:

- a) All yard, buffer, and visual screening requirements applicable in the zoning district in which the installation is located shall apply and shall be determined to be satisfied.
- b) All security fence shall ~~s-surrounding~~ the installations and it shall be set back from the property line by a distance that shall be equal to the setback requirements applicable to a buildings within the zoning district in which the installation is located.
- c) All arrays and appurtenant structures (excluding the security fence) necessary for operation of the LGSPI shall be physically located a minimum distance of 150' away from the nearest habitable structure on an adjacent lot.^[A1]
- d) All arrays and appurtenant structures (excluding the security fence) necessary for operation of the LGSPI shall be physically located a minimum distance of 110 feet from any boundary line that the LGSPI lot shares with an adjacent parcel, including a vacant residential parcel.^[A2]
- e) The visual impact of the commercial solar photovoltaic installation, including all accessory structures and appurtenances, shall be mitigated so as to protect the value of existing and future residential uses. All accessory structures and appurtenances shall be architecturally compatible with each other. Whenever reasonable, structures shall be shielded from view by vegetation and/or joined and clustered to avoid adverse visual impacts so as to protect the value of existing and future residential uses. Methods such as the use of landscaping, natural features, ~~and~~ fencing and the installation of earthen berms may be utilized and may be imposed as reasonable conditions by the Planning Board. The Planning Board shall consider the relative elevations of the LGSPI lot and the adjoining residential lots that are to be protected.
- f) Lighting shall not be permitted unless required by the Planning Board or by the State Building Code. Where used, lighting shall be directed downward and full cut-off fixtures shall be used and a condition may be imposed to require that the lighting shall be motion sensitive and connected to a timer.^[A3]
- g) All utility connections from the LGSPI shall be underground unless otherwise specifically permitted otherwise by the Planning Board in the special permit. Electrical transformers and inverters to enable utility connections may be above ground if required by the utility provider.
- h) Clearing of vegetation shall be limited to the minimum necessary for the construction, operation, and maintenance of the LGSPI except as otherwise prescribed by applicable laws, regulations and bylaws or the special permit.
- i) The commercial solar photovoltaic installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, continued compliance with landscaping and screening requirements, and integrity of security measures. The owner or operator shall be responsible for the maintenance of any

access roads serving the installation and shall be responsible for removing the installation if it is abandoned or if it is not used for a period of two years^[A4].

6a. Special Permit Administration

- a) A special permit is required from the Planning Board to erect or install an LGSPI ~~on parcels 5 acres or larger~~ in the R-S and R-T zones and shall be restricted to parcels that have a combined, contiguous area of 5 acres and that satisfy all of the dimensional requirements set forth herein. A record owner desiring to erect or install a commercial solar photovoltaic installation shall file with the Planning Board an application for a special permit, together with such plans, drawings, specifications, fees, and additional information as required by the Planning Board and which shall be based upon a survey prepared and stamped by a Professional Land Surveyor.
- b) The Planning Board shall have the authority to waive specific dimensional provisions of this Article, provided that the Planning Board votes by a super-majority vote ~~Use Regulations of this Article upon a determination~~^[A5] that each such a-waiver would not be inconsistent with the purpose and intent of this Article.
- c) When acting on a special permit application pursuant to this Article, the Planning Board shall conduct its review, hold a public hearing, and act by super-majority vote and file its decision with the Town Clerk as required by MGL c.40A § 9.
- d) Approval Criteria. In reviewing any application for a special permit pursuant to this Article, the Planning Board shall give due consideration to promoting the public health, safety, convenience and welfare; shall encourage the most appropriate use of land and shall permit no building or use that is injurious, noxious, offensive, or detrimental to its neighborhood. Before the Planning Board may issue such a special permit, it shall determine each of the following:
 1. The LGSPI conforms to the provisions of this Article.
 2. The LGSPI ~~shall will~~ not be detrimental to the neighborhood or the Town.
 3. Environmental features of the site and surrounding areas shall ~~be~~ protected, and specifically surrounding areas will be protected from the proposed use by provision of adequate surface water drainage.
 4. **The proposed siting of the LGSPI shall take into account the relative elevations of the LGSPI lot and adjoining and nearby residential uses and lot.**
 5. The proposed use is in harmony with the general purpose and intent of this Chapter.
- e) Any special permit issued pursuant to this Article shall be subject to such reasonable conditions and safeguards as the Planning Board may prescribe. Such conditions may

include the requirement of a performance bond, secured by deposit of money or negotiable securities, posted with the Town to guarantee proper maintenance and/or removal of the LGSPI. The amount of the performance bond shall not exceed the estimated cost of the LGSPI's removal. Such conditions may also include additional screening of the facility and funds to train fire and police and other safety personnel regarding emergency responses that may be anticipated.

- f) In reviewing any application for a special permit, the Planning Board shall give due consideration to promoting the public health, safety, convenience, and welfare; shall encourage the most appropriate use of land and shall permit no building or use that is injurious, noxious, offensive, or detrimental to its neighborhood.

6a. Discontinuance

- a) An LGSPI shall be deemed to have been discontinued if it has not been in service for a continuous 24-month period. Upon receipt of a Notice of Discontinuance from the Inspector of Buildings, the owner shall have the right to respond to the Notice within 30 days of receipt. The Inspector of Buildings shall withdraw the Notice of Discontinuance and notify the owner that the Notice has been withdrawn if the owner provides information that demonstrates to the satisfaction of the Inspector of Buildings that the LGSPI has not been discontinued. If the LGSPI is determined to be discontinued, the owner shall remove the installation, including all structures equipment, security barriers, and transmission lines, and stabilize or re-vegetate the site as necessary to minimize erosion and sedimentation, at the owner's sole expense within three months of receipt of the Notice of Discontinuance. Failure to remove the installation and stabilize the site within said time period may subject the owner to action pursuant to Section XII, Par J. and K., of this Zoning By-Law.

6.7. Site Control:

The applicant shall submit documentation of ~~its actual or prospective~~ access and control of the project site sufficient to allow for construction and operation of the proposed solar photovoltaic installation, which include the written assent of the current owner if the applicant is not the owner.

7.8. Operation & Maintenance Plan:

The applicant shall submit a plan for the safe operation and maintenance of the LGSPI, which shall include measures for maintaining safe access to the installation, storm water controls, vegetation controls, as well as general procedures for operational maintenance of the installation.

8.9. Utility Notification:

No LGSPI shall be constructed until evidence has been given to the Planning Board that the utility company that operates the electrical grid where the installation is to be located has been

informed of the LGSPI's owner or operator's intent to install an interconnected customer-owned generator; as well as documentation from said utility that they can and will connect the proposed customer-owned (owned by an entity other than the utility company) generator into their power grid.

9.10. Dimension and Density Requirements:

The following dimensional and density requirements shall apply to all LGSPI, except that LGSPI that require special permit relief shall be subject to the additional requirements set forth in this Article.

Setbacks:

For large-scale ground-mounted solar photovoltaic installations, the minimum front, side and rear setbacks shall be as follows:

- (a) Front yard: The front yard depth shall be at least 40 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the front yard shall not be less than 50 feet.
- (b) Side yard: Each side yard shall have a depth at least 20 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the side yard shall not be less than 50 feet.
- (c) Rear yard: The rear yard depth shall be at least 30 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the rear yard shall not be less than 50 feet.

Appurtenant Structures: All appurtenant structures to LGSPI shall be subject to reasonable regulations concerning the bulk and height of structures, lot area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures including, but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, appurtenant structures should be shielded from view and/or joined or clustered to avoid adverse visual impacts.

10.11. Design Standards:

The following design standards shall apply to all LGSPI.

Lighting: Lighting of LGSPI shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the solar photovoltaic installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

Signage: A sign consistent with the Town's Zoning By-Law Section VII shall be required to

identify the owner and operator of the LGSPI and provide a 24-hour emergency contact phone number. Solar photovoltaic installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the LGSPI.

Utility Connections: Reasonable efforts, as determined by the Planning Board, shall be made to place all utility connections from the LGSPI underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

Screening: LGSPI and appurtenant structures shall be adequately screened with vegetation or behind other existing structures from view from public ways and neighboring properties.

Where LGSPI abut residential uses, there shall ~~must~~ be increased consideration for mitigating visual impact to the residential use. For example, the Planning Board may require items such as increased setbacks, visual screening, fencing, earthen berms and ~~or~~ sound buffering in the Site Plan Review.

Where installation panels could pose sun glare to abutting properties or roadways, additional screening or other public safety measures shall ~~may~~ be considered.

When vegetation is used, where possible, a diversity of plant species shall be used, with a preference for species native to New England and this region. Use of plants listed in the most recent version of the "Massachusetts Prohibited Plant List" maintained by the Massachusetts Department of Agricultural Resources (or the then equivalent document) is prohibited.

Fencing: Where deemed necessary, fencing shall ~~may~~ be required as part of the Site Plan Review process.

11.12. Safety and Environmental Standards:

The following safety and environmental standards shall apply to all LGSPI.

Emergency Services: The LGSPI owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Millis Fire Chief. Upon request the owner or operator shall cooperate with Millis emergency services in developing an emergency response plan. All means of shutting down the solar photovoltaic installation shall be clearly marked. The owner or operator shall provide the Town with the contact information for a responsible person for public inquiries throughout the life of the installation.

Land Clearing, Soil Erosion and Habitat Impacts: Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the LGSPI or otherwise prescribed by applicable laws, regulations, and bylaws.

12.13. Monitoring and Maintenance:

Solar Photovoltaic Installation Conditions: The LGSPI's owner or operator shall maintain the

facility and access road(s) in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the Millis Fire Chief.

Modifications: All material modifications to an LGSPI made after issuance of the required building permit shall require approval by the Planning Board. In determining whether a modification is material, the Planning Board shall consider the scope of the proposed modification in relation to the approved LGSPI.

13.14. _____ Abandonment or Decommissioning:

Removal Requirements: Any LGSPI, which has reached the end of its useful life or has been abandoned, shall be removed by the owner or operator no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Planning Board by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

- (a) Physical removal of all LGSPI structures, equipment, security barriers and transmission lines from the site;
- (b) Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.; and
- (c) Stabilization and re-vegetation of the site as necessary to minimize erosion. The Planning Board may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

Abandonment: Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the LGSPI shall be deemed abandoned if the operator announces its intention to cease operations or if the equipment is removed from the site without a notice that the equipment will be reinstalled by the same or a new operator within one year or a longer period of time with the written consent of the Planning Board. ~~considered abandoned when it fails to operate for more than one year without the written consent of the Planning Board.~~ If the owner or operator of the LGSPI fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the Town may, to the extent it is otherwise duly authorized by law, enter the property and physically remove the installation.

Financial Surety: Proponents of LGSPI projects shall provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the Town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the Planning Board, but in no event to exceed more than 125 percent of the cost to the Town of removal (including the costs to pay prevailing wages and to competitively bid the work as may be required under state law) and compliance with the additional requirements set forth herein. Such surety will not be required for municipally- or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, in

conformance with the removal requirements (a) (b) and (c) of this section, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation and provide for a review of the surety every two years to determine whether it is still adequate or whether it shall be increased to satisfy increased cost estimates.

14.15. Liability Insurance:

The owner or operator of an LGSPI shall provide the Town Clerk with a certificate of insurance showing that the property has a minimum of one million dollars in liability coverage, and that the Town of Millis is an additional named insured thereon. Such a certificate shall be supplied on an annual basis to the Town upon the renewal of said insurance policy.

Proposed Solar bylaw warrant article 4-2-15 rev 4-14-15.doc/

Town Counsel 8-7-15: 528449/MILS/0001

Summary of the Massachusetts 'Stretch' Energy Code

Appendix 115.AA of the Massachusetts building code, known as the 'stretch' energy code, was adopted by the Board of Building Regulations and Standards in May 2009, as an option for towns and cities interested in more energy efficient building standards than the state 'base' energy code. The stretch code amends the MA base energy code (IECC 2009), to achieve approximately a 20% improvement in building energy performance.

Residential

New residential buildings 3-stories or less are required to meet an energy performance standard using the Home Energy Rating System (HERS). The HERS index rates each home on a scale where 0 is a zero-net-energy home, and 100 is a typical new home built in 2006. The HERS index has been in use for many years in programs such as: Energy Star homes, LEED homes, and by the Federal IRS to qualify homes for tax credits and energy efficient mortgages. HERS ratings are performed by a 'HERS rater', an independent certified building energy professional, working with the home builder. HERS ratings are submitted to the local building code official in draft form at plan review and final form on building completion.

Stretch code exceptions:

The stretch or base energy code is not triggered in the following situations:

- Storm windows added to existing windows
- Window repairs to an existing sash and frame
- Reroofing or residing over uninsulated roofs or walls where the sheathing is not exposed.

Requirements: New homes

- 3,000 ft² or larger: HERS index of 65 or less
- less than 3,000 ft²: HERS index of 70 or less

In multi-unit buildings, the unit size determines the HERS score needed.

In addition:

- Mandatory requirements of the base energy code (IECC 2009)
- Builders and HERS raters must complete the Energy Star Homes Thermal checklist.

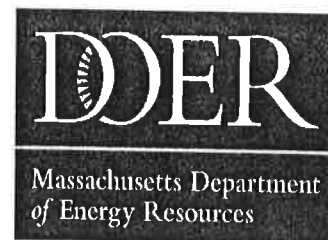
Requirements: Existing home renovations and additions

Home additions and renovations have two options to meet the stretch code:

Option 1) Performance path: whole house - HERS rating option

- Existing homes 2,000 ft² or larger: HERS index of 80 or less
- Existing homes less than 2,000 ft²: HERS index of 85 or less
- Home additions less than 3,000 ft²: HERS index of 70 or less
- Home additions 3,000 ft² or larger: HERS index of 65 or less

In addition:



Stretch Code Adoption Process

INTRODUCTION

A municipality must require all new residential construction over 3,000 square feet and all new commercial and industrial real estate construction to minimize, to the extent feasible, the life-cycle cost of the facility by utilizing energy efficiency, water conservation and other renewable or alternative energy technologies.

The recommended way for cities and towns to meet this requirement is by adopting the Board of Building Regulations and Standards (BBRS) Stretch Code (780 CMR 115.AA), an appendix to the MA State Building Code. Should a community choose to not adopt the Stretch Code and choose to use another standard, the community must provide evidence that this alternative standard minimizes the life cycle energy costs for all new construction and is enforceable by the community.

The purpose of the Stretch Energy Code is to provide a more energy efficient alternative to the Base Energy Code for new and existing buildings. A municipality seeking to ensure that construction within its boundaries is designed and built above the energy efficiency requirements of 780 CMR (i.e., the "Base" Energy Code) may mandate adherence to the Stretch Energy Code. Municipalities interested in adopting 780 CMR 115.AA, the Stretch Energy Code, are directed to do so in the manner prescribed by law. The code may also be rescinded by any municipality in the Commonwealth in the manner prescribed by law.

If adopted by a municipality, this code shall govern rather than Chapter 13 or 34 of the *International Building Code 2009* with Massachusetts Amendments (780 CMR 13.00 or 34.00) or, for single- and two-family dwellings, 780 CMR 51.00, as applicable. This code shall regulate the design and construction of buildings to provide flexibility, and to permit the use of innovative approaches and techniques to achieve effective energy use.

PROCESS for ADOPTION

Cities are advised to adopt the Stretch Code by general ordinance via City Council.

Towns are advised to seek adoption of the Stretch Code as a general bylaw through a vote of Town Meeting. **Please note, once the Stretch Code is adopted by a municipality, all future editions, amendments and modifications of the**

code, based on further amendments to the International Energy Conservation Code (IECC) to improve the energy efficiency of buildings built to this code.

§ ____-2 Purpose

The purpose of 780 CMR 115.AA is to provide a more energy efficient alternative to the Base Energy Code applicable to the relevant sections of the building code for both new construction and existing buildings.

§ ____-3 Applicability

This code applies to residential and commercial buildings. Buildings not included in this scope shall comply with 780 CMR 13, 34, 51, as applicable.

§ ____-4 Stretch Code

The Stretch Code, as codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA, including any future editions, amendments or modifications, is herein incorporated by reference into the Town of _____ General Bylaws, Chapter ____.

The Stretch Code is enforceable by the inspector of buildings or building commissioner.

IMPORTANT LINKS

This document, as well as the following documents, is found on our web page for Criterion 5 guidance.

[Residential Cash Flow Analysis](#)

[Home Load Investment Bank Case Study](#)

[Fidelity Bank Corporate Office and Branch Case Study](#)

[Northeast HERS Alliance](#)

[Question and Answer for Stretch Energy Code Appendix 115.AA](#)

[780 CMR 115.AA Stretch Energy Code \(pg 5-24\)](#)

[Stretch Code Adoption by Community](#)



PROGRAM GUIDANCE

INTRODUCTION

The following guidance describes the Green Communities Designation and Grant Program process (pursuant to M.G.L.c. 25A §10).

Becoming designated as a Green Community provides grant funding to a municipality to support all or a portion of the cost of:

- studying, designing, constructing and implementing energy efficiency activities including, but not limited to, energy efficiency measures and projects;
- procuring energy management services;
- adopting energy efficiency policies; and,
- siting activities related to and construction of renewable energy generating facilities on municipally-owned property.

The Green Communities Designation and Grant process requires a sequence of steps:

- 1) **Prior to applying for designation, it is important for a municipality to review the Criteria Guidance documents to make sure that it is complying with the most recent guidance available.** To fully understand all five criteria, it is important to review all of the detailed guidance for each criterion. Links to the web pages containing all Criteria Guidance documents are available in this document and at the Green Communities Designation and Grant Program page of DOER's website.
- 2) A municipality applies to DOER's Green Communities Division (the Division) for designation to demonstrate that it meets the five specific designation criteria. These criteria, along with documentation submission requirements, are outlined in this document. **Please note: if all of the required documents listed are not included as part of the submission, the Division reserves the right to reject the application in its entirety.**
- 3) The Division reviews the application and determines whether a municipality meets the five criteria. The Division then informs the municipality of its decision. If designated a Green Community, the municipality then will be informed of the amount of its grant award.
- 4) The designated municipality submits a project proposal in the amount of its grant award.
- 5) The Division reviews the designated municipality's grant application and determines if the proposed projects are eligible for funding and are effective in terms of cost and energy savings.

This Program Guidance document is available at the Green Communities Designation and Grant Program page of DOER's website.



Requirements for Becoming Designated as a Green Community

REQUIREMENTS FOR MEETING THE CRITERIA TO BE DESIGNATED AS A GREEN COMMUNITY

As outlined in MGL c. 25A §10(c), a municipality must do ALL of the following:

NOTE: One or more municipalities may submit an application together to qualify as a regional Green Community. Each municipality in a regional application must meet each of the requirements with one exception: the 20 percent reduction from the energy baseline can be applied in the aggregate across all of the applicant municipalities.

Participation by Municipalities Served by Municipal Light Plants

The Green Communities Act requires a specific path forward in order for municipalities served by municipal light plants that adopt the renewable energy charge to participate in the Green Communities Designation and Grant program. Some municipalities, however, do not clearly fit into the provisions of this statutory requirement because they are in the unusual situation of being served by multiple load serving entities - by an MLP as well as an investor-owned utility. DOER issued the following Guideline in May 2012:

Municipalities served by BOTH a municipal light plant and an investor-owned electric utility ARE eligible to apply for and become a designated Green Community.

Please note that any community in this category must submit to DOER materials (such as letters from its utility and the board of its municipal light plant) documenting that the community receives service from both entities.

CRITERION 1: AS-OF-RIGHT SITING – RENEWABLE ENERGY (RE) / ALTERNATIVE ENERGY (AE)

A municipality must provide zoning in designated locations for the as-of-right siting of:

1. renewable or alternative energy generating facilities,
OR
2. renewable or alternative energy research and development (R&D) facilities,
OR
3. renewable or alternative energy manufacturing facilities

IMPORTANT LINK:

[Criterion 1 Guidance Documents](#)

Local Expedited Permitting Process

- Municipalities must provide DOER with a letter from municipal legal counsel affirming that nothing within the municipality's rules and regulations precludes issuance of a permitting decision within one year, along with the language addressing approval procedures and associated timing of any applicable bylaws/ordinances or regulations.
- The applicant should also include a color copy of the applicable map(s) showing that the areas where the expedited permitting applies coincide with the as-of-right zoned areas for Criterion 1. If appropriate, this map may be the same as the map provided for Criterion 1.

MGL c43D

- Municipalities must provide DOER with a certified copy of their City Council or Town Meeting vote designating the as-of-right zoned parcel(s) as a Priority Development Site.
- The applicant should also include a color copy of the applicable map(s) showing the areas where the expedited permitting applies.

CRITERION 3: ENERGY BASELINE / 20 PERCENT ENERGY REDUCTION PLAN

A municipality must establish an energy use baseline inventory for all municipal buildings (which includes school buildings, drinking water and wastewater treatment plants, pumping stations and open spaces), vehicles, and street and traffic lighting. A municipality must also adopt a comprehensive five-year Energy Reduction Plan (ERP) designed to reduce that baseline by 20 percent after completion of a full five-years of implementing its ERP.

IMPORTANT LINK:

[Criterion 3 Guidance Documents](#)

Documentation Required to Meet Criterion 3

The municipality must provide a copy of the Energy Reduction Plan for reducing energy consumption by 20 percent in five years across all municipal buildings, school buildings, municipal and school vehicles, street and traffic lighting, drinking water and wastewater treatment plants, pumping stations and open spaces owned by the municipality. At a minimum, the Plan must include the following information:

- Identification of the inventory tool used
 - Identification of the baseline year used
 - The energy baseline, broken down by buildings, vehicles, water/sewer and streetlights.
 - *Specific energy conservation measures* to be implemented to achieve reductions of at least 15 percent, the energy reductions to be achieved, the basis for the projected energy reductions, and a timeline with milestones to implement measures and achieve required energy reductions.
 - *General strategies* to achieve 5 percent or less in energy reductions.
 - Documentation that both the municipal government and local school district have adopted the energy reduction plan. If a regional school district is included as part of the designation, documentation that the regional school district has adopted the plan must be included. See Criterion 3 Guidance, "Energy Reduction Plan Guidance," for more details.
-

July 2015

The following documentation must be provided as evidence to verify that the municipality has met this criterion:

July 2015

To attach a file, click on <Browse> button to browse on your computer, select the file, then double click on it. You can repeat the process on each green line. If you have more than six (6) files for a criterion form, create a Compressed (zipped) file. Upload and name the compressed files the same way you named and uploaded single files.

When submitting a form, you may receive the following message: "This form is non-secure - do you still want to send it?" This is just informational and nothing to worry about. Answer <Yes>. You'll go to a confirmation page if the submission was successful.

Each time you submit a form, you will get redirected to a confirmation page that your submission was successful. You will also get an email message confirming that DOER's Green Communities Division has received the submission and the number of files uploaded with it.

Creating a Compressed (zip) file

1. Put the all files (e.g. more than six) you want to attach somewhere on your computer where you can see all of them at the same time (e.g. in one folder).
2. Select all the files you wish to include by holding down the <Ctrl> key as you click each one. They will all be highlighted in blue.
3. Right click any of the highlighted files (put your cursor over one of the files and click the right button on your mouse or other pointing device).
4. Select <Send To> (about half way down the pop-up menu).
5. Select <Compressed (zipped) Folder/File> from the next pop-up menu.
6. Find the new file. It will have the name of one of the files you selected (in step 3), but with a .zip extension (e.g. Energy Reduction Plan.zip).
7. Rename the file to conform to DOER requirements. Right click the file name and select <Rename> (near the bottom of the menu).
8. Change only the name to the left of the period (i.e. keep the .zip extension). Begin with city/town name, followed by criterion code (CR1, CR2, CR3, CR4, CR5), then wording that makes the content clear.

Fourth Step—Review the Form and upload files listed there. If everything looks good, use the <Submit> button to submit the form. You will see a confirmation page if successful. You can then choose another criterion form to work on or log out and return later. If you are only practicing, do not use the <Submit> button and nothing will be saved to the online system. **Please submit only ONE form per criterion.**

If you need to submit additional files, make a change, or have any other problems or questions, please contact Jane Pfister (jane.pfister@state.ma.us / 617-626-1194). Each time DOER receives a criterion form, you will receive an email within one business day confirming a successful submission and the number of files uploaded with it.

GCG ASSOCIATES, INC.

PROFESSIONAL CIVIL ENGINEERING & SURVEYING
84 Main Street
Wilmington, Massachusetts 01887

Phone: (978) 657-9714
Fax: (978) 657-7915

September 14, 2015

Mr. Charles Aspinwall
Town Administrator
Town Hall
900 Main Street
Millis, MA 02054

RE: Millis, Massachusetts - Sewer System I/I Investigation
Phase IV – Investigation and Repair Estimate

Dear Mr. Aspinwall:

As requested, GCG Associates has prepared a cost estimate to repair defects found in Sub basins 1 and 2 during the prior investigations in the Millis sanitary sewer system. Phase III of the repair work was completed in the fall of 2014, which consisted of the remainder of the internal repair work. The balance of work left to complete would be the completion of the remaining open excavation repair work for removal of I/I. The following is a summary of I/I work left.

Total Project	(\$) Cost
Phase IV – Sewer Main repairs and replacements-(5 locations)	\$ 58,500
- Sewer Service repairs and replacements-(28 services)	\$104,800
- Manhole Casting Repairs-(31 covers)	\$ 9,500
- Manhole Casting Replacements-(15 covers)	\$ 12,550
10% Repair Contingencies	\$ 18,000
Police Details (500 M.H. x \$50)	\$ 25,000
Engineering and Bidding	\$ 12,000
Construction Administration and Inspection	\$ 25,000
Total Estimated Cost	\$265,350

**See attached - Phase III - Sewer System Investigations and Summary - Status Report 2 dated March 2015 for detailed breakdown of repairs.

As discussed we have broken the work down into two phases to be completed over a period of two years if approved.

Phase IV-A

<u>Total Project</u>	<u>(\$)</u> <u>Cost</u>
Phase IV – Sewer Main repairs and replacements-(5 locations)	\$ 58,500
- Sewer Service repairs and replacements	\$ 34,200
10% Repair Contingencies	\$ 9,000
Police Details (250 M.H. x \$50)	\$ 12,500
Engineering and Bidding	\$ 6,000
<u>Construction Administration and Inspection</u>	<u>\$ 12,500</u>
Total Estimated Cost	\$132,700

Phase IV- B

<u>Total Project</u>	<u>(\$)</u> <u>Cost</u>
Phase IV - Sewer Service repairs and replacements	\$ 70,600
- Manhole Casting Repairs-(31 covers)	\$ 9,500
- Manhole Casting Replacements-(15 covers)	\$ 12,550
10% Repair Contingencies	\$ 9,000
Police Details (250 M.H. x \$50)	\$ 12,500
Engineering and Bidding	\$ 6,000
<u>Construction Administration and Inspection</u>	<u>\$ 12,500</u>
Total Estimated Cost	\$132,650

GCG Associates recommends that the town Phase IV-A for the repair work. If you have any questions or require additional information, please call this office.

Sincerely,
GCG ASSOCIATES, INC.

Michael J. Carter

Michael J. Carter, P.E.
President

**TOWN OF
MILLIS, MASSACHUSETTS**

**PHASE III - SEWER SYSTEM
INVESTIGATIONS & REPAIR
SUMMARY**

STATUS REPORT 2

**Prepared by:
GCG Associates, Inc.
84 Main Street
Wilmington, MA 01887**

March 2015

GCG ASSOCIATES, INC.

PROFESSIONAL CIVIL ENGINEERS AND LAND SURVEYORS
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Phone: (978) 657-9714
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March 3, 2015

Mr. Charles Aspinwall
Town of Millis
Town Hall
900 Main Street
Millis, MA 02054

RE: Phase III – Investigations and Repair Summary - Status Report 2

Dear Mr. Aspinwall:

This letter is in response to your request for a summary of the investigation work completed in 2014. The major findings of the investigations are summarized below and detailed in the tables included within the updated summary of work attached to this report within Appendix A.

- a. The Farm Street cross country sewer has some minor sags but is in good condition.
- b. Many sewer service on the 18" sewer line on Main Street appear to have infiltration issues and heavy encrustation such that the services could not be inspected from the main line. GCG is recommended these services be investigated from the building.
- c. The sewer line to the Clyde Brown School needs some repair and should be lined to address longitude cracking and root intrusion. The old service should be properly abandoned.

The following table summarizes the results of all investigations and repair work through September 2015

YEAR	REMOVED PEAK I/I TO DATE (GPD)	REMAINING PEAK I/I TO DATE (GPD)	REMAINING CLEAR FLOW INVESTIGATIONS (GPD)	TOTAL POSSIBLE PEAK I/I (GPD)
2008 – Investigations (Subbasin 2)	0	72,910	40,320	113,230
2009 – Investigations (Subbasin 1A & 1B)	0	48,220	46,800	95,020
Total to 2009		121,130	87,120	208,250
2010 – Phase I Investigations and Repairs	65,420	79,830	29,160	174,410
2011 – Phase II Investigations (Subbasin 1C)	0	19,900	11,700	31,600
Total to 2011	65,420	99,730	40,860	206,010
2012 Phase II Repairs	56,220			
	121,460	43,510	40,860	206,010
2012 – Phase III Investigations (Subbasin 1C- Main Street Interceptor)		2,880	23,040	
Adjustments for omissions, etc.		-720	-1,440	
Total 2013	121,460	45,670	62,460	229,770
2014- Phase III – Repairs/Investigations	5,490	11,520(New) 5,490(Removed)	27,180 (Discarded) 11,520 (New I/I)	
Total to Date	126,950	51,700	23,760	202,410

The total estimated peak I/I removed due to all repair work to date is 126,950 gpd. GCG Associates recommends that the remaining 23,760 gpd of clear flow be investigated during high groundwater season to complete review of clear flows for the system. If you require additional information or have any questions, please call.

Respectfully Submitted,
GCG ASSOCIATES, INC.

Michael J. Carter

Michael J. Carter, P.E.
Project Manager

APPENDIX A

All Remaining Repairs and Investigations
Thru February 2015
Summary Tables

Summary Table**All Remaining Repairs and Investigations through Feb 2014**

Table	Total Observed I/I (Gpd)	Total Estimated Repair Cost (\$)
Sewer Main Repairs		
No. 1A - Sewer Mains - Rehabilitated by CIPP - Epoxy Point Repairs	0	0.00
No. 1B - Sewer Mains - Rehabilitated by CIPP - Seamless Liner	0	0.00
No. 2 - Sewer Mains - Rehabilitated by Test and Seal Joints	0	0.00
No. 3 - Sewer Mains - Repair By Open Excavation	8,640	58,500.00
Sewer Service Repairs		
No. 4 - Sewer Services Rehabilitated by Test and Seal	0	0.00
No. 5 - Sewer Services - Repair By Open Excavation	34,200	104,800.00
Sewer Manhole Repairs		
No. 6 - Sewer Manholes Rehabilitated by Leak Seal and Patch	0	0.00
No. 7 - Manhole Casting - Brick Masonry Repair	0	0.00
No. 8 - Manhole Casting - Brick Masonry Repair and Adjustment	2,130	9,500.00
No. 9A - Manhole Casting - Brick Masonry Repair, Adjustment and Replacement	6,730	12,550.00
Miscellaneous Repairs		
No. 9B - Miscellaneous Repairs	0	0.00
Subtotal No.1 thru 9B - Repairs	51,700	185,350.00
Sewer Main and Manhole Cleaning		
No. 10 - Sewer Mains - Cleaning by Grease Removal and Treatment	0	0.00
No. 11 - Sewer Main and Manhole- Cleaning by Root Removal and Treatment	0	0.00
No. 12 - Sewer Mains - Cleaning by Specialty Scrape or Flail	0	0.00
Subtotal No.10 thru 12 - Cleaning	0	0.00
Sewer Clear Flow Investigations		
No. 13 - CCTV Inspection of Sewer Services from Main	360	2,000.00
No. 14 - CCTV Inspection of Sewer Services from Building	23,400	15,000.00
No. 15 - CCTV Inspection of Sewer Mains	0	0.00
Subtotal No. 13 & 15 - Investigations	23,760	17,000.00
Total No. 1 thru 15 - Repairs, Cleaning and Investigations	75,460	202,350.00

Table 3
Sewer Mains - Repair By Open Excavation

I/I Source Location	I/I Source	Repair Recommendation	Observed I/I (Gpd)	Estimated Repair Cost (\$)
8" clay main from SMH # 2.22 to Dead End on Union St	Pipe abandoned at 60', multiple broken joints, active 6" service at 13.7' @ 9 o'clock	Open Excavate, cap sewer at 17.5'	1,440	2,500.00
8" pvc/ac main from SMH # 1.99 to SMH # 1.98 on Plain Street	Sag/misaligned pipe at 291.6'	Excavate /replace pipe section, approx. 15 feet to manhole	No I/I Observed	7,500.00
8" pvc/ac main from SMH # 1.141 to SMH # 1.98 on Plain Street	Sag/misaligned pipe at 230'	Excavate /replace pipe section, approx. 15 feet to manhole	No I/I Observed	7,500.00
8" clay main from SMH # 2.94 to SMH # 2.85 on Main St Easement at Union St	Heavy grease buildup in main from Milliston Road and apartments Pipe is undersized/ misaligned-frequent blockages	Open Excavate and replace with 12" pvc main (291 linear feet)	No I/I Observed	30,000.00
6" clay main from SMH # 1.68A to SMH # 1.69 off Main St on School Property	Flow Observed from School property	Clean and line pipe root removal	7,200	11,000.00
Total			8,640	58,500.00

Table 5**Sewer Services - Repair By Open Excavation**

I/I Source Location	I/I Source	Repair Recommendation	Observed I/I (Gpd)	Estimated Repair Cost (\$)
8" clay main from SMH # 1.63 to SMH # 1.62 on Exchange St	Leak @ 6" service tap @ 114.2' @ 3 o'clock - Lt-Med Roots @ 2' VC offset Joints from Main to Hse @ 35'	Excavate- Replace service from main to Hse @35'	1,440	5,000.00
8" ac main from SMH # 1.101A to SMH # 1.100 on Plain St	6" service lateral @ 216.1' @ 9 o'clock - Heavy Roots @ 18' to 20' from main	Excavate - Point Repair-AC Pipe	1,440	3,000.00
8" ac main from SMH # 1.141 to SMH # 1.98 on Plain St	6" service lateral @ 104.8' @ 12 o'clock - 3' AC-Double Chimney at 9 o'clock side - Roots/Broken Pipe @ 18' from the main	Excavate - Point Repair-AC Pipe	1,440	3,000.00
8" ac main from SMH # 1.141 to SMH # 1.140 on Plain St	6" service lateral @ 40.3' @ 9 o'clock - Offset Joint @ 24' from main @ AC to PVC Connection	Excavate - Point Repair-AC/PVC Pipe	720	3,000.00
8" ac main from SMH # 1.139 to SMH # 1.140 on Plain St	6" service lateral @ 7.2' @ 9 o'clock - 50% Sag @ 10' to 25' Heavy roots @ 79' @ Hse & CI/PVC Connection	Excavate - Service Replacement or Point Repair	2,880	5,000.00
8"pvc main from SMH# 1.247 to SMH# 1.246 on Maple St	6" service lateral @ 140.3' @ 3 o'clock - Roots/Hole in Pipe @ 8' from the main	Excavate - Point Repair - PVC pipe	720	3,000.00
8" clay main from SMH # 2.63 to SMH # 1.65 on Lavender St	6" service lateral @ 14.3' @ 3 o'clock - Med Roots @ 2' VC Joints from 26' to 42' (House @ 61')	Excavate- Replace service from 26' to house	1,080	5,000.00
8" clay main from SMH # 2.63 to SMH # 1.65 on Lavender St	6" service lateral @ 72.5' @ 9 o'clock - 50% Sag @ 10' to 30'- roots/grease	Excavate- Replace 30' of VC service from Main to PVC at property line	1,080	5,000.00

Table 5
Sewer Services - Repair By Open Excavation

I/I Source Location	I/I Source	Repair Recommendation	Observed I/I (Gpd)	Estimated Repair Cost (\$)
8" clay main from SMH # 2.63 to SMH # 1.65 on Lavender St	6" service lateral @ 144.6' @ 9 o'clock - Lt Med Roots @ 2' VC offset Joints from Main to 24'	Excavate- Replace service from main to 24'	1,080	5,000.00
8" clay main from SMH # 2.63 to SMH # 1.65 on Lavender St	6" service lateral @ 190.9' @ 3 o'clock - Heavy Roots, Broken Pipe @VC to AC @26' and 36' - survey ends @ 95% roots	Excavate- Replace service from 26' to house	1,440	5,000.00
8" clay main from SMH # 1.63 to SMH # 1.62 on Exchange St	6" service lateral @ 166.4' @ 9 o'clock - Heavy Roots-95% roots @ 2' joints from 28' to 39' changes to PVC	Excavate - Point Repair -VC/PVC Pipe	1,440	3,000.00
8"pvc main from SMH# 1.82 to SMH# 1.81 on Greenwood Drive	6" service lateral @ 96.4' @ 9 o'clock - Defective PVC joint-gasket showing @ 13'	Excavate - Point Repair - PVC Pipe	720	3,000.00
8"pvc main from SMH# 1.81 to SMH# 1.80 on Greenwood Drive	6" service lateral @ 78.1' @ 9 o'clock - Defective PVC joint/bend-gasket showing @ 27.5'	Excavate - Point Repair - PVC Pipe	720	3,000.00
8" clay main from SMH # 2.11 to SMH # 2.10 on Union St	Leaks/heavy roots @ 6" service lateral @ 20.3' @ 12 o'clock	Replace service main to 30'	2,160	5,000.00
8" ac main from SMH # 2.70 to SMH # 2.69 on Plain St	deposits/leak @ 6" service tap @ 73.7' @ 9 o'clock	Excavate and Replace cleanout on Private property - 4" PVC cracked at lower bend @ 31' from main	360	3,000.00
8" clay main from SMH # 2.10 to SMH # 2.6 on Union St	6" service lateral @ 257.2' @ 3 o'clock-VC pipe-Med. Roots from 25' to 40'- flat service with numerous sags-survey ends @ 45'	Excavate and replace service on private property from 25' to hse	2,880	5,000.00

Table 5
Sewer Services - Repair By Open Excavation

I/I Source Location	I/I Source	Repair Recommendation	Observed I/I (Gpd)	Estimated Repair Cost (\$)
8" clay main from SMH # 2.69 to SMH # 2.68 on Plain St	6" service tap @ 12.4' @ 9 o'clock - Roots @ 2' VC joints from 15% to 90% @ 24' to 44' - survey ends	Excavate and replace Service on private property from 24' to hse	360	5,000.00
8" clay main from SMH # 2.69 to SMH # 2.68 on Plain St	6" service tap @ 80.1' @ 9 o'clock - Offset joints from 20' to 35', Some Roots from 26' to 32', Roots @ 2' VC joints 25% from @ 47' to 63' -Offset PVC to VC Joint @ 62' - survey ends	Excavate and replace Service 20' to hse	1,440	5,000.00
8" clay main from SMH # 2.65 to SMH # 2.64 on Plain St	6" service tap @ 172.5' @ 3 o'clock - Roots @ 2' VC joints from 50% to 80% @ 22' to 32' - survey ends	Excavate and replace Service on private property from 22' to hse	1,440	5,000.00
8" clay main from SMH # 2.73 to SMH # 2.72 on Main St	6" service tap @ 19.6' @ 10 o'clock - VC pipe-Fine to Med. Roots @ 2' joints from 36' to 70'- manhole @ 16'-survey ends @82'	Excavate and replace Service on private property to hse	720	5,000.00
8" clay main from SMH # 2.73 to SMH # 2.72 on Main St	6" service tap @ 201.7' @ 9 o'clock - Med offset joint - soil showing @ 29' - manhole @ 34' - survey ends @43'	Excavate - Point Repair @ 29'	360	3,000.00
8" clay main from SMH # 2.62 to SMH # 2.63 on Lavender St	6" service tap @ 122.3' @ 2 o'clock - VC pipe-Roots -10% to 80% @ 2' joints from 8' to 23' -survey ends @ 23' @ root ball	Excavate and replace Service from main to private property to hse	360	5,000.00

Table 5**Sewer Services - Repair By Open Excavation**

I/I Source Location	I/I Source	Repair Recommendation	Observed I/I (Gpd)	Estimated Repair Cost (\$)
8" pvc main from SMH # 1.311 to SMH # 1.323 on Middlesex St	6" service tap @ 104.4' @ 3 o'clock #10 Middlesex St- Leak @ bends @ 30' to 31.5' - rolled gasket @ property line	Excavate - Point Repair	720	3,000.00
SMH # 2.40 on Union Street	6" service into manhole - Vcpipe from MH to -Offset PVC to VC Joint @ 20' - survey ends @53'	Excavate and replace Service - manhole to PVC pipe @ 20'	2,880	3,000.00
8" clay main from SMH # 2.62 to SMH # 2.61 on Lavender St Easement	Leaks @ 6" service tap @ 111.4' @ 3 o'clock	Repair Root ball at 27'	360	3,000.00
8" pvc main from SMH # 1.226 to SMH # 1.225 on Union Street	6" service lateral @ 90.36' @ 12 o'clock	Repair offset joint at 12"	720	300.00
15" pvc main from SMH # 1.177 to SMH # 1.176 on Ridge Street	6" service lateral @ 160.38' @ 12 o'clock	Repair Root ball at 35'	360	0.00
8"pvc main from SMH# 1.301 to SMH# 1.294 on Timberline St	hole in pipe 73 feet on 6" service from tap @ 86' @ 10 o'clock	Excavate and repair pipe	2,880	3,500.00

Table 8**Manhole Casting - Brick Masonry Repair and Adjustment**

I/I Source Location	I/I Source	Repair Recommendation	Observed I/I (Gpd)	Estimated Cost (\$)
SMH # 1.79 on Greenwood Drive	frame and cover paved over	raise frame and cover	0	250.00
SMH# 1.280 on Timberline Street	Casting 1" low in depressed area of pavement	raise frame and cover	50	250.00
SMH # 1.29A on Pleasant Street Easement	frame/cover offset on manhole in grass	reset frame and cover	50	250.00
SMH# 1.260 on Kennedy Terrace	Frame /cover 1" low/loose brickwork under casting	reset frame/cover and rebuild brickwork	100	250.00
SMH # 1.230 on Island Road Easement	32" watertight casting buried in swamp, brickwork loose/leaking	Raise casting to 1VF above grade	720	250.00
SMH# 2.54 on Lavender Street Easement	Casting low	Raise casting 6"	100	250.00
SMH# 2.55 on Lavender Street Easement	Casting low	Raise casting 6"	100	250.00
SMH# 2.56 on Lavender Street Easement	Casting low	Raise casting 6"	100	250.00
SMH# 2.63 on Lavender Street Easement	casting low, loose brickwork	repair brickwork and raise casting 1"-2"	50	250.00
SMH# 2.97B on Main Street@ Ann and Hope	Casting buried under concrete driveway	Raise frame and cover, repour concrete driveway	0	500.00
SMH# 2.97 on Main Street Easement@ Ann and Hope	Low casting, roots	Raise casting 6" above grade,	50	250.00
SMH# 2.96 on Main Street Easement@ Ann and Hope	Low casting	Raise casting 6" above grade	100	250.00
SMH# 2.95 on Main Street Easement@ Ann and Hope	8" service not used and leaking, low casting	Raise casting 6" above grade, plug old pipe to utility building	50	250.00
SMH # 2.3 @ DPW	frame and cover buried 6" below grade	raise frame and cover 6" above grade	Located off the road in grass	250.00
SMH # 2.3A on Water Street	frame and cover 1" below grade	raise frame and cover	cover in street gutter	250.00
SMH # 2.3B on Water Street	frame and cover paved over	raise frame and cover	No I/I Observed	250.00
SMH # 2.5 on Water Street	frame and cover paved over	raise frame and cover	No I/I Observed	250.00

Table 8
Manhole Casting - Brick Masonry Repair and Adjustment

I/I Source Location	I/I Source	Repair Recommendation	Observed I/I (Gpd)	Estimated Cost (\$)
SMH # 2.8 on Daniel Street	frame and cover paved over	raise frame and cover	No I/I Observed	250.00
SMH # 2.30 on Union Street	frame and cover paved over	raise frame and cover	No I/I Observed	250.00
SMH # 2.44 on Exchange Street	frame and cover paved over	raise frame and cover	No I/I Observed	250.00
SMH # 2.52 on Lavender Street Easement	frame and cover buried 2' below grade	raise frame and cover	No I/I Observed	500.00
SMH # 2.80, 2.81, 2.82 in Town Park	frame and cover buried below grade, not found	locate and raise frame and cover	No I/I Observed	1,000.00
SMH # 2.83 on Monroe Street	frame and cover paved over	raise frame and cover	No I/I Observed	250.00
SMH # 2.98 on Main Street	frame and cover buried 18" below grade in grass	raise frame and cover	No I/I Observed	500.00
SMH # 2.98A on Main Street	frame and cover not found	locate and raise frame and cover	No I/I Observed	250.00
SMH# 2.95A on Main Street Easement@ Ann and Hope	frame and cover 6" below grade	Raise frame and cover 1 VF	No I/I Observed	250.00
SMH# 1.170 on Curve Street	Frame /cover 1" low, loose brickwork	Reset frame/cover and rebuild brickwork	360	250.00
SMH# 1.169 on Curve Street	Leaks @ lower and upper joints, Frame /cover 1" low, loose brickwork	Reset frame/cover and rebuild brickwork	100	250.00
SMH# 1.168 on Curve Street	Leaks @ lower and upper joints, Frame /cover 1" low, loose brickwork	Reset frame/cover and rebuild brickwork	100	250.00
SMH# 1.167 on Ridge Street	Leaks @ wall joints and bench - Frame /cover 1" low/loose brickwork under casting	Reset frame/cover and rebuild brickwork	100	250.00
SMH # 1.8 on Main Street	frame and cover paved over	raise frame and cover	0	250.00
SMH # 1.11 on Main Street	frame and cover paved over	raise frame and cover	0	250.00
Total			2,130	9,500.00

Table 9A**Manhole Casting - Brick Masonry Repair, Adjustment and Replacement**

I/I Source Location	I/I Source	Repair Recommendation	Observed I/I (Gpd)	Estimated Cost (\$)
SMH # 1.34 on Pleasant Street	26" diameter cracked manhole cover	Replace "Sealtite" Frame and Cover	0	750.00
SMH # 1.101A on Plain Street	Frame broken from plow truck	Replace 26" dia. frame and cover, adjust brickwork	0	750.00
SMH # 1.128 on Village Street	Frame broken from plow truck	Replace 26" dia. "Sealtite" frame and cover, adjust brickwork	0	750.00
SMH # 1.34 on Southwoods Circle	32" diameter drain manhole cover	Replace with 32" "Sealtite" Sewer cover	0	300.00
SMH# 1.290 on Island Road	26" Frame and cover in depressed area in gutter(-1")	Replace with "Sealtite" frame and cover and raise to grade	720	750.00
SMH # 1.27 on Pleasant Street Easement	26" Casting flush to grass grade in swampy area, brickwork loose/leaking	Replace with "Watertight" frame and cover and raise to 1VF above grade	1,440	1,500.00
SMH# 1.262 on Exchange Street	Frame and cover in depressed area - 2" below grade draining roadway	Replace with "Sealtite" frame and cover and raise to grade	2,880	750.00
SMH# 2.60 on Lavender Street Easement	Raise and replace casting	Replace with "Sealtite" frame and cover and raise 8" to grade	100	750.00
SMH# 2.103 on Milliston Road Easement	Frame and cover in depressed area - draining wetland	Replace with "Watertight" frame and cover and raise to 1VF above grade	1,440	1,500.00
SMH# 2.103A on Milliston Road Easement	Frame and cover low	Replace with "Watertight" frame and cover and raise to 1VF above grade	100	1,500.00
SMH# 2.115 on Stoney Brook	cover only - no frame	replace with low profile "Sealtite" frame and cover, cement to manhole	50	Apartment Complex Responsibility
SMH # 1.53 on Exchange Street	32" diameter cracked manhole cover	Replace with "Sealtite" Frame and Cover	Frame ok	1,000.00

Table 9A**Manhole Casting - Brick Masonry Repair, Adjustment and Replacement**

I/I Source Location	I/I Source	Repair Recommendation	Observed I/I (Gpd)	Estimated Cost (\$)
SMH # 2.9 on Daniel Street	Brickwork under frame loose, cover is worn/old	replace with "Sealtite" frame and cover	No I/I Observed	750.00
SMH # 2.70 on Plain Street	Drain cover	replace with "Sealtite" sewer frame and cover	No I/I Observed	750.00
SMH # 1.24 on Main Street	26" diameter broken frame	Replace "Sealtite" Frame and Cover	No I/I Observed	750.00
Total			6,730	12,550.00

Table 13**CCTV Inspection of Sewer Services from Main**

Clear Flow Source Location	Clear Flow Source	Recommendation	Observed Clear Flow (Gpd)	Estimated Cost (\$)
18" ductile iron main from SMH # 1.8 to SMH # 1.7 on Main Street	6" service lateral @ 149' @ 2 o'clock -3.5' chimney - 95% blocked with grease or calcification	Inspect with service camera - #1485- northside - Self Storage - May not be used	360	2,000.00
		Total	360	2,000.00

Table 14
CCTV Inspection of Sewer Services from Building

Clear Flow Source Location	Clear Flow Source	Recommendation	Observed Clear Flow (Gpd)	Estimated Cost (\$)
18"di main from SMH# 1.15 to SMH# 1.14 on Main Street	6" service lateral @ 216.8' @ 2 o'clock - 9VF PVC Chimney - Rest of Service not Accessible from main	Camera Service from House # 1325 - northside	720	750.00
8"pvc main from SMH# 1.244 to SMH# 1.243 on Exchange St	Leak @ 6" service tap @ 132' @ 12 o'clock	Inspect with Service from building unit	1,440	750.00
10"pvc main from SMH# 1.240 to SMH# 1.239 on Island Road	Leak @ 6" service tap @ 22' @ 12 o'clock	Inspect with Service from building unit	360	750.00
15" pvc main from SMH # 1.196A to SMH # 1.196 on Ridge Street	6" service lateral @ 60.14' @ 12 o'clock	Inspect with service camera	360	750.00
8" pvc main from SMH # 1.226 to SMH # 1.225 on Union Street	6" service lateral @ 213.14' @ 12 o'clock	Inspect with Service from building unit	360	750.00
18" ductile iron main from SMH # 1.23 to SMH # 1.22 on Main Street	6" service lateral @ 35.5' @ 2 o'clock - 2' chimney - 90% blocked with grease or calcification	Inspect with service camera - Map 22-13/30 - Lot - northside	2,160	750.00
18" ductile iron main from SMH # 1.18 to SMH # 1.17 on Main Street	6" service lateral @ 150' @ 2 o'clock - no chimney - 10% blocked with grease or calcification	Inspect with service camera - #1275 - northside	1,440	750.00
18" ductile iron main from SMH # 1.17 to SMH # 1.16 on Main Street	6" service lateral @ 134' @ 2 o'clock - 12' chimney - 20% blocked with grease or calcification	Inspect with service camera - #1279 - northside	720	750.00
18" ductile iron main from SMH # 1.17 to SMH # 1.16 on Main Street	6" service lateral @ 173' @ 10 o'clock - 12' chimney - 5% blocked with grease or calcification	Inspect with service camera - Paved right of way- southside	360	750.00
18" ductile iron main from SMH # 1.14 to SMH # 1.13 on Main Street	6" service lateral @ 12' @ 10 o'clock - 6' chimney - 5% blocked with grease or calcification	Inspect with service camera - #1352- southside	1,440	750.00

Table 14
CCTV Inspection of Sewer Services from Building

Clear Flow Source Location	Clear Flow Source	Recommendation	Observed Clear Flow (Gpd)	Estimated Cost (\$)
18" ductile iron main from SMH # 1.14 to SMH # 1.13 on Main Street	6" service lateral @ 144' @ 10 o'clock - 4' chimney - 5% blocked with grease or calcification	Inspect with service camera - #1360-southside - 1st service? - May not be used	1,440	750.00
18" ductile iron main from SMH # 1.14 to SMH # 1.13 on Main Street	6" service lateral @ 273' @ 10 o'clock - 4' chimney - 50% blocked with grease or calcification	Inspect with service camera - #1360-southside - 2nd service? - May not be used	1,440	750.00
18" ductile iron main from SMH # 1.13 to SMH # 1.12 on Main Street	6" service lateral @ 79' @ 10 o'clock - 3.5' chimney - 50% blocked with grease or calcification	Inspect with service camera - #1370-southside - 1st service? - May not be used	360	750.00
18" ductile iron main from SMH # 1.13 to SMH # 1.12 on Main Street	6" service lateral @ 201' @ 2 o'clock - 3.5' chimney - 20% blocked with grease or calcification	Inspect with service camera - #1375-northside - 1st service? - May not be used - 2 buildings	2,880	750.00
18" ductile iron main from SMH # 1.13 to SMH # 1.12 on Main Street	6" service lateral @ 225' @ 10 o'clock - 3.5' chimney - 10% blocked with grease or calcification	Inspect with service camera - #1370-southside - 2nd service? - May not be used	1,440	750.00
18" ductile iron main from SMH # 1.12 to SMH # 1.11 on Main Street	6" service lateral @ 130' @ 2 o'clock - 4' chimney - 20% blocked with grease or calcification	Inspect with service camera - #1375-northside - 2nd service? - May not be used - 2 buildings	2,880	750.00
18" ductile iron main from SMH # 1.7 to SMH # 1.6 on Main Street	6" service lateral @ 114' @ 12 o'clock - 3.5' chimney - 95% blocked with grease or calcification	Inspect with service camera - Map22-49-northside - wetland - May not be used	360	750.00
18" ductile iron main from SMH # 1.7 to SMH # 1.6 on Main Street	6" service lateral @ 298' @ 12 o'clock - 3.5' chimney - 95% blocked with grease or calcification	Inspect with service camera - Map22-52-northside - Curb cut - May be buildable	1,440	750.00
18" ductile iron main from SMH # 1.6 to SMH # 1.5 on Main Street	6" service lateral @ 137' @ 2 o'clock - 3.5' chimney - 99% blocked with grease or calcification	Inspect with service camera - Map22-50-northside - Grassed - May be buildable	360	750.00

Table 14

CCTV Inspection of Sewer Services from Building

Clear Flow Source Location	Clear Flow Source	Recommendation	Observed Clear Flow (Gpd)	Estimated Cost (\$)
15" pvc main from SMH # 1.196 to SMH # 1.182 on Ridge Street	6" service lateral @ 129.16' @ 12 o'clock	Inspect with Service from building unit	1,080	0.00
8" pvc main from SMH# 1.244 to SMH# 1.243 on Exchange St	Leak @ 6" service tap @ 230.9' @ 12 o'clock	Inspect with Service from building unit	360	750.00
Total			23,400	15,000.00

Overview of CORI Requirements for Massachusetts Municipalities and Public Entities

The Department of Criminal Justice Information Services has promulgated Criminal Offender Record Information ("CORI") regulations, 803 CMR 2.00, et seq. (the "CORI Regulations"). The updated CORI Regulations (<http://www.mass.gov/eopss/docs/chsb/803-cmr-2-00-criminal-offender-record-information-cori.pdf>), impact several aspects of CORI practices for municipalities and public entities. While the CORI Regulations include many specific requirements that must be met, the most critical require: use of the "iCORI" web database to perform CORI checks; notification to individuals prior to conducting a CORI check; notification to individuals of information contained in their CORI; and secure and confidential maintenance, and destruction, of CORI.

To fully comply with the CORI Regulations, municipalities and public entities must take the following key steps:

- Review existing CORI policies, and, as necessary, adopt a new CORI policy, to ensure compliance with current requirements; note that while every Massachusetts entity performing five or more criminal background checks annually must adopt a CORI policy, we recommend adoption of a CORI policy regardless of the number of criminal background checks conducted annually.
- Ensure that all documents that contain CORI, including electronic records, are confidentially and securely maintained and destroyed (i.e., after the appropriate records retention period and with permission from the Supervisor of Public Records) in accordance with the CORI Regulations' requirements.
- Schedule staff training on updated CORI requirements for all officials and employees who conduct CORI background checks or handle CORI.
- Complete a written CORI Acknowledgement Form for each individual that will be CORI checked, and verify the person's identity with a government issued identification card such as a passport or driver's license.
- Confirm that prior to any adverse decision based on CORI, there has been compliance with the CORI Regulations' detailed notification requirements to the individual. This includes: (1) notifying the applicant of the potential adverse decision; (2) providing the applicant with a copy of CORI policy; (3) providing the applicant with an opportunity to dispute the accuracy of the information contained in the CORI; and (4) sending a copy of the Department of Criminal Justice Information System's handout on the procedure to correct CORI

THE LEADER IN PUBLIC SECTOR LAW

(<http://www.mass.gov/eopss/docs/chsb/cori-process-correcting-criminal-record-2012.pdf>) to the applicant. In the event a license is denied based on CORI findings (after the above notification criteria are met), the applicant must also be provided with information on how to appeal the denial of the license at issue.

- You must also document all steps taken to comply with these notification requirements.

Since the state, through the Criminal Record Review Board, is authorized to review citizen complaints for CORI violations, impose fines and refer complaints to appropriate criminal justice agencies, it is essential that Massachusetts municipalities and public entities remain diligent in the proper use and disclosure of CORI while making necessary employment, licensing or housing decisions.

If you have questions about CORI, feel free to contact Attorneys Michele E. Randazzo (mrandazzo@k-plaw.com) or Janelle M. Austin (jaustin@k-plaw.com) at 617.556.0007. For employment-specific CORI questions, you may also contact any of our labor and employment attorneys, at 617.556.0007.



CORI – Frequently Asked Questions

Below are answers to Frequently Asked Questions relative to the implementation of the Department of Criminal Justice Information Services Criminal Offender Record Information ("CORI") regulations, 803 CMR 2.00, et seq. (the "CORI Regulations").

1. Can I run CORI checks for all government positions, not just those that involve direct and unmonitored contact with children, elderly, and disabled persons?

The new CORI laws and regulations do not prohibit running CORI checks on all government jobs. In the past, public employers were only required to run CORI checks on certain categories of personnel (including volunteers), and that remains true today. But whether you chose to run CORI checks on applicants for a clerical position, for instance, requires some consideration as to the reasons for the CORI check. We do not recommend running CORI checks for every position, for several reasons, as discussed in more detail in response to Questions 2 and 4, below.

2. Can I run CORI checks on current employees, and not just applicants for employment?

Again, the new CORI laws and regulations do not prohibit running CORI checks on current (as opposed to prospective) employees. But before you decide to run CORI checks on all employees, you should consider the implications of such a decision. First, it costs money for each CORI check. Depending upon the number of employees, this can be expensive. Moreover, the more CORI checks you perform, the more CORI records you have to securely maintain, and the more risk that CORI information will be inadvertently and/or improperly disclosed. Finally, if you do run CORI checks on current employees, you will need to think about what you are going to do with the results, if unfavorable CORI checks come back. What if the most valued (and long-time) member of the DPW has a negative CORI that includes a domestic violence charge? As the saying goes, "a bell once rung cannot be unrung." If you do run CORI checks on current employees, you may find yourself in the possession of information previously unknown, which will compel you to take an adverse employment action, or run the risk of increased liability in the future for not taking action.

Finally, running CORI checks on existing, union employees may give rise to bargaining obligations, and you should consult with your labor counsel in this regard if you are considering running CORI checks on existing union employees.

3. If I run CORI checks on current employees, and am contemplating taking an adverse employment action against an employee as a result of a negative CORI, am I required to comply with the new regulations' requirements concerning advance notice of a possible adverse employment decision?

Setting aside the policy, legal, and practical considerations associated with running CORI checks on current employees, it is our view that those CORI regulations which require "advance notice" to an individual of a possible adverse employment decision based upon CORI only apply to applicants, and not current employees. With that said, you would be wise to comply with these requirements nonetheless, as the state Department of Criminal Justice Information Systems ("DCJIS") considers this advance notification to be a due process right of an individual. From an administrative perspective, it is also likely easier to have one "standard" notification form, for example, that you use, regardless of whether you are dealing with applicants for employment, or existing employees.

4. When is the "best" time in an application process to run a CORI check?

The CORI Regulations define an "employment applicant" as "an individual who has applied for employment, who meets the requirements for the position for which the individual is being screened for criminal history by an employer." This includes volunteer applicants. Not all individuals who apply for a job are qualified for it, and, to minimize potential liability, we do not advise running CORI checks on every single applicant for employment. The better practice is to run CORI checks only on the finalist, and make a conditional offer of employment pending a satisfactory CORI check (and any other necessary preconditions to employment). It is permissible, of course, to secure all applicants' consents to running CORI checks at the beginning of the application process, through the CORI Acknowledgement Form, so that you are not unnecessarily delayed in performing the appropriate CORI checks during the process of selecting a finalist or finalists.

The reasons why it is best to limit the pool of persons upon whom CORI checks are conducted are practical ones. The more people for whom CORI checks are run, the greater the cost, the more CORI records you have to securely maintain, and the more risk that CORI information will be inadvertently and/or improperly disclosed. Moreover, while some candidates would be screened out from further consideration without regard for the results of a CORI check (i.e., not qualified for job, insufficient education or experience, etc.), the fact that you have run a CORI check on such an individual gives rise to at least the implication that you did not choose the individual based upon an unfavorable CORI check, which can raise a host of questions, complications and potential legal claims.

Housing and licensing applicants are likely to be treated somewhat differently. Usually, there is not a set limit on the number of licenses, and each licensing applicant is evaluated on the merits of the application and the relevant statutory or other legal requirements, rather than compared with one another. For housing applicants, federal or state laws or regulations may apply that dictate when a CORI check is performed. Many housing authorities, for example, do not run CORI checks until an applicant is ready to be housed.

THE LEADER IN PUBLIC SECTOR LAW

5. Who has a “need to know” CORI information about applicants or current employees, licensees or applicants for housing?

One of the most significant changes to CORI rules has been the elimination of the previous requirement that individuals authorized to access CORI must complete an Agreement of Non Disclosure Form. Now, only those individuals with a “need to know” may have access to CORI. The person(s) actually running a CORI check must review the iCORI Training Documents, which are available online at <http://www.mass.gov/eopss/crime-prev-personal-sfty/bkgd-check/cori/icori-training-documents.html>. While the new regulations broaden the scope of persons who may have access to CORI, the statutory changes also add new criminal penalties and monetary fines imposable against individuals for improper disclosures of CORI. Thus, pursuant to DCJIS’ recommendation, it is still prudent to limit those individuals to whom actual CORI information is provided and advise them regarding your organization’s CORI Policy and all limitations on the use and disclosure of CORI.

Can a Board of Selectmen or City Council have access to CORI of an applicant for employment, for instance? The answer is, it depends. If the Board of Selectmen or City Council is the appointing authority, then it is reasonable to conclude that they would be involved in evaluating candidates, including CORI information. What if the Board of Selectmen or City Council is not the appointing authority, but has the ability to ratify or approve another official’s hiring decision? These seems a closer case, but we can envision circumstances where the hiring official needs to explain the hiring decision (which may include explanation of the decision to reject an otherwise qualified candidate due to an unfavorable CORI), as part of the Selectmen’s/Council’s deliberations about whether to approve or ratify the hiring official’s decision. In any event, we strongly caution you to limit CORI disclosure to the extent possible, and when you do disclose CORI to individuals with a “need to know,” you remind those persons to whom you are disclosing CORI about the limitations on secondary disseminations (and it may also be useful to remind them about the individual liability for improper use/dissemination of CORI.)

One way to look at this is to examine how far removed the person(s) are from the actual hiring decision. Someone with only an ancillary role in the hiring process probably does not have a “need to know.” In contrast, the person responsible for actually making the decision about which candidate(s) to pick probably has a “need to know.” We do not recommend allowing a screening committee, constituted to aid the appointing authority in selecting a finalist or finalists, to have access to the results of CORI checks. Typically, screening committees are made up of a variety of persons, including citizens, who really do not need to know the CORI results of a neighbor who has applied for a government job (at least not in this context). The risk of inadvertent or otherwise impermissible CORI disclosures is amplified in these situations.

In terms of housing decisions, the same principles apply. However, it must be noted that local housing authorities and local redevelopment authorities have additional regulations (760 CMR 8.00 *et seq.*) that govern the confidentiality and privacy of personal tenant and applicant information. The regulations specifically limit the ability of board members to access personal data concerning an applicant or tenant to situations where there is a need for access in order for the board to conduct business properly. This is, of course, similar to the “need to know” standard under the CORI law/regulations, but it is worth noting the additional regulatory limitations.

THE LEADER IN PUBLIC SECTOR LAW

Licensing decisions provide a different set of considerations. Certainly, where the licensing authority is a governmental body, such as the City Council or Board of Selectmen, and the licensing authority is charged with making suitability determinations concerning license applicants, it is likely that the body will “need to know” the content of an applicant’s CORI report. As with employment decisions, however, members of the governmental body should be cautioned against improper dissemination or handling of CORI where it is made available to them. In addition, where a public body governed by the Open Meeting Law is considering licensing applicants, then the portion of the licensing hearing where CORI is to be considered may appropriately be held in executive session (see number 6, below).

Finally, we take the position that your legal counsel may have a “need to know” CORI information, depending upon the circumstances, where you have called upon your counsel to advise you on a CORI-related issue. This would not constitute a “secondary dissemination,” in our opinion.

6. If a governmental body has a “need to know” CORI, can/should the body discuss CORI in open or executive session?

CORI should not be discussed in open session. Depending upon the circumstances, it would be appropriate to discuss CORI in executive session under either exemption 1 (G.L. c. 30A, §21(a)(1)) or exemption 7 (G.L. c. 30A, §21(a)(7)). Because certain rights of individuals are triggered when exemption 1 is used, but not where exemption 7 is used, you should carefully consider the circumstances prior to noticing and convening an executive session, and may wish to consult counsel, to ensure that the appropriate exemption is invoked, and in the appropriate manner. Particularly in the licensing context, it will not generally be appropriate to hold the entire licensing hearing or proceeding, including any vote(s) on the license application, in executive session. Be careful to ensure that CORI discussed during an executive session is not improperly disclosed during the open session portion of the proceeding.

7. If I can’t ask about an applicant’s criminal history on an employment application, can I ask the individual about his/her criminal history during an interview?

Because the answer to this question implicates not only the CORI laws but also the provisions of the state anti-discrimination law, G.L. c. 151B, we have reprinted below the state Massachusetts Commission Against Discrimination’s answer to this question (with an editorial comment included).

“This depends on the specific information the employer seeks from the applicant. G.L. c. 151B, § 4(9½) prohibits employers from seeking criminal history information by written application, and therefore does not apply. [Because CORI reform now prohibits any such inquiries on a written application.] G.L. c. 151B, § 4(9), however, restricts employers from making certain written and oral inquiries directly to an applicant or employee. Specifically, G.L. c. 151B, § 4(9) prohibits employers from asking orally or in writing about:

- An arrest that did not result in a conviction;

THE LEADER IN PUBLIC SECTOR LAW

- A criminal detention or disposition that did not result in a conviction;
- A first conviction for any of the following misdemeanors: drunkenness, simple assault, speeding, minor traffic violations, affray, or disturbance of the peace;
- A conviction for a misdemeanor where the date of the conviction predates the inquiry by more than 5 years; and
- Sealed records and juvenile offenses.

During an interview or thereafter, an employer can ask about convictions so long as **the employer does not ask about any offenses set forth in G.L. c. 151B, § 4(9).** (See above)."

Thus, once a CORI report has been run (after authorization by the applicant), you can ask the applicant questions about the contents of the report; where: 1) you have provided the applicant with a copy of the CORI report first; and 2) your questions are limited to those permitted under G.L. c. 151B, as noted above.

There are a couple of exceptions to the prohibition on asking for CORI on an employment application:

- Where the job applied for is one for which a person who has been convicted of a crime is at least presumptively disqualified by law; or
- Where the employer or an affiliate is subject to a law or regulation under which it is prohibited from employing persons in one or more positions who have been convicted of one or more types of offenses in one or more jobs.

8. How do the new CORI rules apply to Board of Health access to CORI information regarding staff and volunteers of recreational camps for children?

Under 105 CMR 430.090, each camp operator is required to conduct background checks on all staff members and volunteers. That background check must include a CORI check (including a juvenile report), a SORI (sex offender record information) check, as well as an out-of-state criminal background check where the individual is not a permanent resident of Massachusetts. When the board of health conducts inspections of recreational camps under 105 CMR 430.000 *et seq.* to ensure compliance with all applicable regulatory requirements, the board of health designee (i.e., health agent) will have access to CORI information when he/she attempts to verify that the necessary background checks have been performed by the camp operator. Indeed, it is the camp operator's responsibility to conduct the background check and to determine whether or not to employ an individual with a criminal background. This applies to non-municipal camps.

For purposes of the new CORI Reform legislation, the board of health is not considered a "requestor" of CORI. The CORI Reform legislation expressly provides that: "...upon request, a requestor [i.e., a camp operator] shall share criminal offender record information with the government entities charged with overseeing, supervising, or regulating them. A requestor shall maintain a secondary dissemination log for a period of one year following the dissemination of a subject's criminal offender record information. The log shall include the following information: (i) name of subject; (ii) date of birth of the subject; (iii) date of the dissemination; (iv) name of person

THE LEADER IN PUBLIC SECTOR LAW

to whom it was disseminated; and (v) the purpose for the dissemination. The secondary dissemination log shall be subject to audit by the department [of criminal justice information systems]." [emphasis added].

Thus, camp operators must provide access to CORI checks of its staff and volunteers, when requested by the board of health in the discharge of its official duties in licensing recreational camps for children. (Typically, such access is provided when the health agent is on-site to conduct an inspection; we do not advise asking that the camp operator provide the board of health/health agent with copies of CORI reports, for instance.) While, as noted above, the camp operator must maintain a secondary dissemination log including each time it has provided access to CORI information to the board of health/health agent, it is DCJIS' responsibility to audit camp operators for the existence or non-existence of such logs; failure to maintain a log would not provide an independent basis for the board of health to deny a license application or renewal.

Of course, CORI reports contain confidential information. Regardless of whether the board of health is considered a "requestor" of CORI under the new CORI Reform legislation, care should still be exercised when discussing the contents of any CORI check that the health agent or other board designee might see when conducting a camp inspection, particularly in light of the heightened civil and criminal penalties for improper handling or dissemination of CORI, including personal liability.

If you have questions about CORI, feel free to contact Attorneys Michele E. Randazzo (mrandazzo@k-plaw.com) or Janelle M. Austin (jaustin@k-plaw.com) at 617.556.0007. For employment-specific CORI questions, you may also contact any of our labor and employment attorneys, at 617.556.0007.

TOWN OF _____ CORI POLICY

I. PURPOSE

This Policy outlines the requirements for the criminal history screening of prospective and current employees, subcontractors, volunteers and interns, professional licensing applicants, and applicants for the rental or leasing of housing.

II. APPLICATION

State law and regulations govern the use of Criminal Offender Record Information (CORI) and other criminal history checks by a municipality. When such checks are conducted, such as in connection with an application for employment, volunteer work, licensing purposes, or the rental or leasing of housing, the following practices and procedures will be followed. Violations of CORI laws and regulations are actionable in accordance with state law, and may also result in disciplinary action against an employee found to have violated said laws and regulations, up to and including termination from employment.

III. POLICY

A. Access to CORI

All CORI obtained from the Massachusetts Department of Criminal Justice Information System (DCJIS) shall remain **CONFIDENTIAL**, and CORI may only be disclosed to those individuals who have a “need to know” the information in order to fulfill their duties. This may include hiring managers, staff submitting the CORI requests, and staff charged with processing applications. However, every effort will be made to limit the number of individuals authorized to access or receive CORI. The Town must maintain and keep a current list of each individual authorized to have access to, or view, CORI. This list must be updated every six (6) months and is subject to inspection upon request by the DCJIS at any time.

Pursuant to state regulations, all CORI certifications must be renewed annually, and any persons authorized to access CORI are required to be retrained annually.

B. Training

All personnel authorized to review or access CORI, which includes all personnel authorized to conduct criminal history background checks, shall review and be thoroughly familiar with the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.

C. Conducting CORI Screening

CORI checks will only be conducted as authorized by the DCJIS and G.L. c. 6, § 172, and only after a CORI Acknowledgement Form has been completed by the individual to be checked.

With the exception of screening for the rental or leasing of housing, if a new CORI check is to be made on a subject within a year of his/her signing of the CORI Acknowledgement Form, the subject shall be given seventy two (72) hours' notice that a new CORI check will be conducted.

If a requestor is screening for the rental or leasing of housing, a CORI Acknowledgement Form shall be completed for each and every CORI check.

In accordance with state regulations, prior to running a CORI check, the applicant's identity will be verified with government-issued photographic identification (such as a driver's license). If the individual has not been issued such a form of identification, then the applicant's information will be verified with a government-issued non-photographic identification, such as a birth certificate or social security card, or other identification authorized by DCJIS. A copy of this identification, together with the CORI Acknowledgment Form, shall be maintained on file by Town for at least one year from the date the Form was signed by the applicant.

In no instance will the applicant be asked or required to provide a copy of his/her own CORI.

D. Use of Criminal History in Employment Background Screening

CORI used for employment purposes shall only be accessed for applicants who are otherwise qualified for the position for which they have applied. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on background checks will be made consistent with this Policy and any applicable law or regulations.

E. Use of a Credit Reporting Agency to Conduct CORI Checks

If a Credit Reporting Agency (CRA) is used to conduct CORI checks on applicants, Town will comply with the state regulations particular to use of a CRA.

F. Verifying Subject's Identify Once CORI Record is Received

If a criminal record is received from the DCJIS, the information is to be closely compared with the information on the CORI Acknowledgement Form and any other identifying information provided by the applicant to ensure the record belongs to the applicant. If the information in the CORI record provided does not exactly match the identification information provided by the applicant, a determination is to be made by an individual authorized to make such determinations based on a comparison of the CORI record and documents provided by the applicant.

G. Inquiring About Criminal History

In connection with any decision regarding employment, volunteer opportunities, housing, or licensing, the subject shall be provided with a copy of the criminal history record, whether obtained from the DCJIS or from any other source, prior to questioning the subject about his or her criminal history, and **PRIOR** to making any adverse decision based upon the applicant's criminal history. The source(s) of the criminal history record is also to be disclosed to the subject.

H. Determining Suitability

If a determination is made, based on the information as provided in Section F of this Policy, that the criminal record belongs to the subject, and the subject does not dispute the record's accuracy, then the determination of suitability for the position or license will be made. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on CORI checks will be made consistent with this Policy and any applicable law or regulation. Factors to be considered in determining suitability may include, but not be limited to, the following:

- (1) Relevance of the offense(s) noted on the record to the position or license sought, or to public housing;
- (2) The nature of the work to be performed (where applicable);
- (3) Time since the conviction;
- (4) Age of the candidate at the time of the offense;
- (5) Seriousness and specific circumstances of the offense;
- (6) The number of offenses;
- (7) Whether the applicant has pending charges;
- (8) Any relevant evidence of rehabilitation or lack thereof; and
- (9) Any other relevant information, including information submitted by the candidate or requested by the organization.

Whenever possible, the applicant is to be notified of the decision and the basis for it in a timely manner.

I. Adverse Decisions Based on CORI

If an authorized official is inclined to make an adverse decision based on the results of a criminal history background check, the applicant will be notified promptly. The subject shall be provided with copies of: 1) the organization's CORI Policy; 2) the criminal history at issue, indicating the source(s) of said criminal history; and 3) DCJIS' ***Information Concerning the Process for Correcting a Criminal Record***, or other similar information published by DCJIS relating to the process for correcting CORI.

The subject will then be provided with a reasonable opportunity to dispute the accuracy of the CORI record and/or submit additional information. In most instances, that reasonable opportunity shall be seven (7) calendar days from date of notification from the Town of the

potential of an adverse decision, unless there are extenuating circumstances. Upon the timely receipt of additional documentation/information from the applicant and/or the DCJIS, the Town shall review the information. If the CORI record does not exactly match the identification information provided by the applicant, the Town will make a determination based upon a comparison of the CORI record and documentation provided by the applicant. The Town shall document all steps it takes in this regard.

In the case of license applications, the Town will additionally provide the applicant with information regarding any applicable appeal process, including the opportunity to dispute the accuracy of the CORI at issue.

J. Maintenance of CORI

All CORI information, including CORI Acknowledgment Forms and copies of government-issued identification, will be maintained in a secure fashion. This means that hard copies will be stored in a separate, locked, location; electronically-stored CORI will be password protected and encrypted. No CORI shall be stored using public cloud storage methods. CORI shall be destroyed within seven years from: the date of hire, or date of entrance into volunteer service (employment); date of licensing decision (licensing); last date of residency or date of housing decision (housing), whichever is later. Destruction shall occur by shredding or other similar means (hard copies), prior to disposal. Electronically-stored CORI shall be deleted from all hard drives on which they are stored and from any system used to back up the information. Appropriate measures shall be taken to “clean” any computer used to store CORI, prior to disposal or repurposing of such a computer.

H. Secondary Dissemination Logs

All CORI obtained from the DCJIS is **CONFIDENTIAL** and can only be disseminated as authorized by law and regulation. A central “secondary dissemination log” shall be used to record *any* dissemination of CORI outside this organization, including dissemination at the request of the subject. That log must contain the following information: 1) the applicant/subject’s name; 2) the applicant/subject’s date of birth; 3) the date and time of dissemination; 4) the name of the person to whom the CORI was disseminated, including the name of the organization for whom the person works (if applicable); and 5) the specific reason for the dissemination. These logs must be maintained for at least one year from the date of dissemination; they may be maintained electronically or on paper in the same secure manner as other CORI information; and are subject to audit by DCJIS.

INFORMATION CONCERNING THE PROCESS IN CORRECTING A CRIMINAL RECORD

1. If you have undergone a background check by an agency that has received a criminal record from the DCJIS, you may ask the agency to provide you with a copy of the criminal record. You may also request a copy of your adult criminal record from the Department of Criminal Justice Information Services, 200 Arlington Street, Suite 2200, Chelsea, MA 02150 or by calling (617)660-4640 or go to the Massachusetts iCORI service
2. The DCJIS charges \$25.00 fee to provide an individual with a copy of his/her criminal record. You may complete an affidavit of indigency and request that the DCJIS waive the fee.
3. Upon receipt, review the record. If you need assistance in interpreting the entries or dispositions, please contact the Constituent Assistance and Research Unit at 617.660.4640 between 8:00AM and 6:00PM Eastern Time, Monday – Friday or via email at iCORI.INFO@state.ma.us
4. The DCJIS does not offer “walk-in” service but you may call our Legal Division at (617)660-4760 for assistance or the CARI Unit of the Office of the Commissioner of Probation at (617)727-5300.
5. If you believe that a case is opened on your record that should be marked closed, you may contact the Office of the Commissioner of Probation Department at the court where the charges were brought and request that the case(s) be updated.
6. If you believe that a disposition is incorrect, contact the Chief Probation Officer at the court where the charges were brought or the CARI Unit at the Office of the Commissioner of Probation and report that the court incorrectly entered a disposition on your criminal record.
7. If you believe that someone has stolen or improperly used your identity and were arraigned on criminal charges under your name, you may contact the Office of the Commissioner of Probation CARI Unit or the Chief Probation Officer in the court where the charges were brought. For a listing of courthouses and telephone numbers please [click here](#).
8. In some situations of identity theft, you may need to contact the DCJIS to arrange to have fingerprints analysis conducted.
9. If there is a warrant currently outstanding against you, you need to appear at the court and ask that the warrant be recalled. You cannot do this over the telephone.
10. If you believe that an employer, volunteer agency, housing agency or municipality has been provided with a criminal record that does not pertain to you, the agency should contact the CORI Unit for assistance at (617)660-4640.

**TOWN OF MILLIS
DEPARTMENT OF PUBLIC WORKS
REQUEST FOR SERVICES**

The Millis DPW is seeking private plow contractors to plow and remove snow; specifically (4) one ton vehicles with plows and (1) six wheeled small dump truck with plow, (1) six wheeled large dump truck with sander. The town pays Mass Highway hourly rates. Proposers must have a minimum of \$500,000 in Liability Insurance and \$100,000 in Property Insurance for next season and must have worker's comp if they are not a sole proprietor. They also must provide an insurance certificate naming the Town as an additional insured for snow plow operations. Contractors must have experience in plowing streets, sidewalks and parking lots. Interested parties should contact James F. McKay at the Millis DPW at 508-376-5424 or jmckay@millis.net. Open until filled.

⊛ not yet advertised
Per Jim McKay, there is a party interested