

**Finance Committee Packet for Meeting  
of December 13, 2022  
Part 1 of 2**

Finance Committee Meeting Minutes  
Tuesday November 15, 2022

1. Call to Order and Roll Call Vote – P. Orenstein opened the meeting via Zoom at 7:00pm with a roll call: Milena Cerna, “aye,” Richard Geiler, “aye,” Madonna Meagher, “aye,” Anne O’Dwyer, “aye,” Philip Orenstein, “aye.”

Also in attendance: Town Manager Mark Pruhenski

2. Committee Member announcements or statements

a. A. O’Dwyer stated Finance Committee and the Affordable Housing Trust meetings are both held the second Tuesday of the month and asked to consider moving the Finance Committee meeting to the third Tuesday. The Committee discussed other meetings scheduled on Tuesdays that might present conflicts – but agreed to consider changing the meeting schedule after the coming Budget Season, if necessary. It was clarified that in person meetings require reserving the Town Hall meeting room.

3. Approval of Minutes for Oct 6th and Oct 18th meetings

M. Meagher made a motion to approve the October 6, 2022 minutes; A. O’Dwyer seconded. P. Orenstein asked if any discussion – there was none. Roll call vote: M. Cerna, “aye,” R. Geiler, “aye,” M. Meagher, “aye,” A. O’Dwyer, “aye,” P. Orenstein, “aye.” All in favor: 5-0.

M. Meagher made a motion to approve the October 18, 2022 minutes; R. Geiler seconded. P. Orenstein asked if any discussion – there was none. Roll call vote: M. Cerna, “aye,” R. Geiler, “aye,” M. Meagher, “aye,” A. O’Dwyer, “aye,” P. Orenstein, “aye.” All in favor: 5-0.

4. Town Manager Update –

a. Two Reserve Fund requests – Department of Public Works and Police Department

i. Chief of Police, Paul Sorti, presented a request for a reserve fund transfer of \$23,300 to cover expenses for required training for four police officers due to an unanticipated number of current openings -- plus an additional transfer of \$11,400 to cover training of two more officers as openings are expected in the next few months – for a total request of \$34,700. He explained there are critical staffing issues due to strong competition for trained officers and the loss of part-time officers who were not trained and therefore, were decertified on July 1, 2022. He also stated there is currently a pool of seven police officer applicants who have passed the hiring exam and are potential new hires.

- A. O’Dwyer confirmed the openings are for full-time officers and there are no part-time officers remaining.
- Chief Sorti stated if the \$11,400 for the two additional officers is not needed, it will be returned.
- P. Orenstein asked if, given the staff openings, the Department is under budget on salary compensation? – Chief Sorti replied there are no savings as there has been a significant amount of overtime for the remaining staff. P. Orenstein confirmed the state sets the fee for the training program.

M. Meagher made a motion to approve a reserve fund transfer of \$34,700 (\$23,300 plus an additional \$11,400) for the Police Department for police officer academy training; A. O’Dwyer seconded. P. Orenstein asked if any discussion – P. Orenstein asked that the memo be updated so it is evident \$23,300 and \$11,400 is being approved. Roll call vote: M. Cerna, “aye,” R. Geiler, “aye,” M. Meagher, “aye,” A. O’Dwyer, “aye,” P. Orenstein, “aye.” All in favor: 5-0.

ii. M. Pruhenski presented a reserve fund request on behalf of Joe Aberdale, DPW Superintendent, stating the Town must comply with a new State statute that requires recycling of mattresses - and a place is now needed to store them. He requested \$4,000 to fund the purchase of a storage unit rather than renting one. He noted the unit would be monitored and when close to full, pick up will be scheduled. It was confirmed the unit is sealed/watertight.

R. Geiler made a motion to approve the reserve fund transfer for \$4,000 for the DPW purchase of a storage unit for mattress disposal and recycling; M. Cerna seconded. P. Orenstein asked if any discussion – there was none. Roll call vote: M. Cerna, “aye,” R. Geiler, “aye,” M. Meagher, “aye,” A. O’Dwyer, “aye,” P. Orenstein, “aye.” All in favor: 5-0.

b. Housatonic Water Works – M. Pruhenski stated that the Town will receive state funds for temporary relief for HWW customers and a press release will go it soon. He stated once the timeline is confirmed, it will be brought to the Selectboard to consider three options/or some combination thereof – (i) purchase of bottled water in five-gallon recyclable containers for every household for the worst 8-10 weeks in summer; (ii) small grants for homeowners to purchase water filtration units for their homes or to buy replacement filters; (iii) purchase and install one/three/five -gallon water filling station in Town. He clarified for the last option, if the location is Housatonic, a water filtration system would also be needed. The Committee expressed support for these options.

c. Town discretion on Cannabis related free cash – M. Pruhenski stated he had just received an email from David Doneski, Town Counsel, that he will forward to Committee members, providing guidance for host-community agreement negotiations with retailers starting in December – and to inform FY24 budget discussions. P. Orenstein clarified this relates to funds received through host agreements between the Town and cannabis retailers. The question these guidelines address is how much flexibility the Town has in allocating those funds for more general purposes or if they are to be used in a more restricted/narrow way. P. Orenstein noted this is important for the budget process. M. Pruhenski stated D. Doneski provided a bullet list of acceptable uses for the 3% community impact fee noting there is less focus on prevention and more broadly on community improvement. The Committee discussed/clarified the 3% local option tax and 3% community impact fee are both under the host agreement, but there is a different process for each – and while there have been differences of opinion on how the community impact fee can be used, the local option tax can be used as the Town directs. It was agreed that D. Doneski’s email will be included in the packet for the next meeting/public discussion.

d. Search for new Town Finance staff member – M. Pruhenski reported the new Accountant/Finance Coordinator, Allison Crespo, will start on December 5 – and noted her solid finance/municipal experience. It was agreed she would attend the December Finance Committee meeting and its meetings go forward. P. Orenstein requested a budget report for the December meeting, if possible (recognizing that Ms. Crespo will have been on the job a week at that date).

5. Update on Local Option Tax Revenues – P. Orenstein referred to historical data in the packet on local option revenue consisting of cannabis, room occupancy and meal taxes - and noted the overall positive trend. Though the Committee discussed the anticipated leveling/tapering off of cannabis related revenues and highlighted its impact on the budget process especially since these revenues have been used to offset property tax increases.

6. Update on Community Preservation Committee – R. Geiler stated CPC step one applications were received for open space, historical preservation, recreational land and community housing projects. Nine applicants will provide more detailed project plans. P. Orenstein asked about the Ian Rausch/Alander Main Street project – R. Geiler stated the project received funds last year for façade preservation – though plans changed for use of the building. The CPC asked that, in the future, they should be informed in advance by a recipient of any changes to prior plans before any request for additional funds. R. Geiler noted there is total \$1.72m in requests. The Committee discussed the CPC budget (available funds) is substantial and derives from a 3% surcharge on real estate taxes and additional revenues from the State. R. Geiler clarified the CPC makes recommendations to fund projects, but it requires a Town Meeting vote to approve.
7. Future meeting schedule – 3rd Tuesday of the month @ 6:30 pm
  - a. December 13 (2nd Tuesday)
  - b. Upcoming budget season – P. Orenstein stated there are no plans for a January Finance Committee meeting as the budget process will include four Selectboard-Finance Committee meetings in late February-to-early March. He added budget materials will be on the Town website including a PowerPoint and detailed budget by department. M. Pruhenski clarified the budget meeting schedule would be circulated in January with initial presentations in February and the public hearing in late March. R. Geiler noted if the Finance Committee regular meeting schedule is to change it would not be until March.
    - i. O’Dwyer asked that the Budget Policy be approved by the Selectboard before budget season and for the Finance Committee to be present for discussion. Steve Bannon replied the Policy will be on the December 5 meeting agenda and the Finance Committee will be invited with the goal of discussing/finalizing the policy at the meeting. M. Pruhenski confirmed it would be early in the agenda and perhaps the meeting would start at 5:30pm. P. Orenstein clarified revisions have been made to the initial draft and the Selectboard has the final draft version.
8. Citizen Speak Time – No citizens requested to speak.
9. Media Time – No media requested to speak.
10. Adjournment - R. Geiler made a motion to adjourn; A. O’Dwyer seconded. P. Orenstein adjourned the meeting by unanimous consent at 8:10pm.

Respectfully submitted,

Stacy Ostrow, Recording Clerk

**Subject:** Recommendations for Town-Wide Water Solutions  
**Date:** Wednesday, December 7, 2022 at 1:18:39 PM Eastern Standard Time  
**From:** Anni Crofut  
**To:** philip.n.orenstein@gmail.com, aodwyer@siimons-rock.edu, mcernaraynau@gmail.com, Mark Pruhenski  
**Attachments:** Request for GB FinCom 12 7 2022.docx.pdf, DPC\_GB\_Water Systems Draft Memo\_2018.10.29 HWW (1).pdf

To the GB Finance Committee (Chair, Philip Orenstein; Vice Chair, Anne O'Dwyer), and Town Manager (Mark Pruhenski);

Attached is a letter from Housatonic Water Works customers with recommendations. Please place this on your agenda for your meeting 12/13/22.

For background information, please see:

- a) AECOM's water system evaluation of HWW  
<https://www.townofgb.org/sites/g/files/vyhlif636/f/uploads/hww.pdf>
- b) The DPC Engineering report on GBFD (attached)

This letter and attachments will be forwarded to the press.

Thank you for your time,

Best,

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December 7, 2022

To: GB Finance Committee (Chair, Philip Orenstein; Vice Chair, Anne O'Dwyer);

With a great deal of conjecture in the public dialog regarding the acquisition, financing and operating of Housatonic Water Works, we, users of Housatonic water, tax payers of the Town of Great Barrington, would appreciate your requesting that financial estimates be made based on the previous consulting reports that the Town had commissioned (see DPC Draft Memorandum attached and AECOM report). With this information, the Town of Great Barrington as a whole, will be able to vote on whether they will facilitate the acquisition of clean water for its colleagues in Housatonic. Likewise, we, in Housatonic, would be able to determine whether or not we can sustain the cost of a new filtration system and other capital expenditures.

HWW has asserted our water rates will increase 50% in the first phase of the filtration improvement to cover roughly \$2 million of capital expenditures and \$2 million again in a second phase of needed renovations, entailing presumably a second rate hike.

Mr. Atwood's (Chair of GBFD) has roughly estimated that if our 850 users enjoyed the municipal borrowing terms of 40 years at favorable municipal rates, each Housatonic household would pay approximately \$100 annually for a \$2 million upgrade. That seems much less than a 50% increase in water rates. It then seems that Housatonic water users would benefit from municipal ownership. While the acquisition of HWW by a municipality is more complicated, we would appreciate financial estimates (based on documented assumptions, rather than hearsay) so that our townspeople, both users of GBFD and Housatonic water, can have a say in the matter. **Here are some financial figures we would appreciate receiving from the Finance Committee and Select Board.** We understand that a substantial amount of work was developed by DPC Engineering and AECOM which can be used to make these calculations and/or develop models for the Town's use:

1. ASSUMING ACQUISITION:

Beginning with the acquisition of HWW, what would be the annual cost of acquiring HWW, assuming \$1.8 million price (Aqarion's net asset value of HWW) with the Town purchasing it using borrowed funds and deeding it to GBFD/HFD?

Avg. Cost/year	Annual cost	Effect on tax rate/1000
Year 1-10		
Year 11-20		
Year 21-30		
Year 31-40		

2. CAPITAL EXPENDITURES:

Using a capital investment expenditure of \$4 million for filtration and related improvements (per AECOM's report), how much would it cost per household a) if Housatonic tax payers bore the brunt or b) if both GBFD and HWW taxpayers (users) shared the burden. Currently GBFD users pay for capital expenditures through a separate line item on their tax bill named "GB Fire District Tax," a separate levy based on assessed values per 1000. Differently, HWW users pay for capital expenditures (if any) bundled in their water bills. Putting both on the same type of levy system, how

much would HWW users pay for these capital expenditures under municipal ownership on average per year? In a different scenario, if both GBFD and HWW were to share in expenses, what would be the cost per thousand? **The GBFD has made it clear that there is a scarcity of water resources for the growing need of GBFD users, and it seems logical for the town to secure additional water resources at Long Pond with an updated facility.**

Avg. Cost per 1000/yr	HWW users only	with both GBFD & HWW users
Years 1-10		
Years 10-20		
Years 21-30		
Years 31-40		

3. QUESTIONABLE LOGIC OF CONNECTING SYSTEMS WITHOUT ACQUISITION:

Mr. Atwood has stated he will begin to connect GBFD and HWW’s water distribution systems, involving an additional 900 feet of pipes to be laid. Does he have the sole decision to do so? At what cost? Who pays for these 900 feet? **Why would GBFD users want to spend money to have HWW water with the antiquated filtration and pipes as they are? How much has GBFD spent on drilling for additional water sources?** Would it make more sense for GBFD users to contribute to the large Long Pond water source if it had an improved filtration system? And to do so, would it make sense for them to co-invest in a new filtration system?

4. LONG TERM PIPE REPLACEMENT - COMBINING COSTS TO PROVIDE ACCESS

Using DPC Engineering’s 2018 figures that the broad replacement of pipes for both GBFD and HWW are needed, could the costs be combined in order to provide for access to one source of water and paid through combined municipal borrowings? This should be taken into consideration since the Housatonic source of water is much larger than GBFD’s. **Great Barrington as a town is faced with its own set of fiscal challenges. In total, GBFD’s pipe remediation costs are nearly 2 ½ times the relative costs of Housatonic’s replacement (\$54.4 million vs. \$22.3 million, respectively) as shown in figures used in the cited report.** While some of these figures may need to be updated, the differential between the two systems will essentially be the same. The point is, we need to update our entire system.

COST OF PIPE REPLACEMENT BASED ON LENGTH, DIAMETER AND TYPE OF PIPES NEEDED TO BE REPLACED

	GBFD	HWW
Years 1-10	9,237,000	8,172,000
Years 11-20	13,218,000	1,052,000
Years 21-30	8,961,000	9,227,000
Years 31-40	10,718,000	383,000
Years 41-50	12,295,000	3,481,000
<b>TOTAL</b>	<b>\$54,429,000</b>	<b>\$22,315,000</b>

5. SOURCES OF FUNDS:

The Town’s “Local Revenues”, including “Pot money,” has become a source of new revenues (2022 FY: \$2.1 million cannabis revenue, not including the community impact fee). Other than the

Community Impact Fund, we suggest the Town earmark these funds for the critical remediation of the Housatonic water situation over the next twenty years. **No playground, streetscape or other expenditure will be more important than solving our town-wide water issues. Our future will depend on it.**

6. GRANTS:

We recommend our Town Staff rigorously investigate grants and other means of external funds to finance a consistent source of safe water for the whole town. Then, and only then, would it make sense to invest in the integration of both systems. **We are one community. We should act like one.**

In summary, the AECOM report of 2021 lays out the needed expenditures of HWW. These can be used to develop a “Base Case Scenario.” It seems that we owe it to our water users and taxpayers to begin to seriously consider our options carefully as a Town and a community.

The Select Board has done a marvelous job commissioning important reports that shed light on our water situation. We need to take it a step further to create different scenarios with financial effects, instead of dismissing Housatonic’s plight as insurmountable (again).

We would appreciate your adding the discussion of this item onto the December 13<sup>th</sup> meeting agenda and distributing this to your committee members in the meanwhile.

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## Draft Memorandum

**To:** Sean Van Deusen, DPW Superintendent, Town of Great Barrington  
**From:** Dave Prickett, P.E., President, DPC Engineering, LLC  
**Date:** October 29, 2018  
**Re:** **Conceptual Water Systems Management Framework Project**

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This Draft Memorandum includes a summary for the Conceptual Water Systems Management Framework Project (Project) for the Town of Great Barrington, including: (1) an overview of the existing private water systems within the Town; (2) a summary of existing drinking water infrastructure in each utility; (3) anticipated current and future needs for both private water companies; (4) a potential physical inter-connection piping concept; (5) development and analysis of a conceptual management alternative to merge the two water utilities into a single water utility; and (6) preliminary recommendations for follow-up tasks (if deemed necessary by the Town) related to an implementation plan.

### **BACKGROUND**

There are two private water utilities in the Town of Great Barrington: (1) the Great Barrington Fire District (GBFD); and (2) the Housatonic Water Works (HWW). The approximate limits of the service areas for GBFD and HWW are shown in the attached Figure 1. These private water utilities operate independently from the Town. The GBFD sets its rates via periodic Rate Hearings, and the HWW rates are governed by the Massachusetts Department of Public Utilities. The Town currently has no responsibility for either water utility, other than that both water utilities serve Great Barrington residents and businesses. Over the past couple of years, some residents and business owners have reached out to the Town regarding questions and concerns relating to their water service. As a result of these inquiries, and in an effort to proactively explore conceptual water management framework alternatives, the Town commissioned this Project.

### **EXISTING WATER INFRASTRUCTURE**

The GBFD currently serves approximately 4,000 residents through 1,643 connections. The GBFD pumps its water from a single source, the Green River Infiltration Gallery, where it is disinfected utilizing 12.5% sodium hypochlorite. It is our understanding that GBFD has an average daily demand of 0.57 million gallons per day (mgd), with a permitted capacity of 1.09 mgd. Further, there are two pipeline systems that convey flow from the Green River Pump Station: (1) the Berkshire Heights System; and (2) the East Mountain System. Based on available data, historical chlorine residuals leaving the Green River Pump Station are typically 0.6 milligrams per liter (mg/L) and 0.45 mg/L, respectively, for the Berkshire Heights and East Mountain Systems. The GBFD also maintains the East Mountain Reservoir, which is no longer regulated as a water supply by MassDEP. It is our understanding that the East Mountain Reservoir was removed from active use in 1997, since it lacks proper filtration. This source can only be used by the GBFD in the case of an emergency.

Based on available information, the GBFD has allocated considerable resources in recent years in pursuit of a secondary water source. Two potential sites have been considered by the GBFD, including: (1) the Taft Farm; and (2) a secondary well, constructed between North Plain Road and the Housatonic River. However, Taft Farm is currently under the jurisdiction of the Agricultural Preservation Restriction (APR) Program. The well on North Plain Road exhibits high iron and manganese concentrations that will likely necessitate further treatment, if activated.

The GBFD water distribution system is comprised of approximately 40 miles of water mains and 316 hydrants. The majority of the water mains in the distribution system are asbestos cement (AC), ductile iron (DI), and cast iron (CI). The lengths of pipes, as well as the percent of pipe types within the GBFD water distribution system, are shown in Table 1 below, and in the attached Table 7.

**Table 1  
Composition of Pipe in GBFD Water Distribution System**

Pipe Type	Length (ft)	Length (mi)	Perecent
AC	83,245	15.8	41%
DI	60,942	11.5	29%
CI	54,980	10.4	27%
PVC	4,934	0.9	2%
HDPE	3,055	0.6	1%
<b>Total =</b>	<b>207,156</b>	<b>39</b>	<b>100%</b>

The HWW currently serves approximately 1,400 residents through 865 connections. The HWW water supply consists of a single source, Long Pond. Water from Long Pond flows by gravity to the Long Pond Water Treatment Plant (LPWTP). The LPWTP includes two 48-foot by 48-foot sand filters, with post-chlorination. The average flow through the LPWTP to the distribution system was 172,527 gallons per day (gpd) in 2013. The LPWTP has a design capacity of 0.27 mgd. The HWW water distribution system is comprised of approximately 17 miles of water mains and 55 hydrants. The HWW water distribution system largely includes AC, CI, and DI pipes, the majority of which are CI. A summary of the lengths of pipes, as well as the percent of pipe types within the HWW distribution system, are shown in Table 2 below, and in the attached Table 8.

**Table 2  
Composition of Pipe in HWW Water Distribution System**

Pipe Type	Length (ft)	Length (mi)	Perecent
CI	64,497	12.2	74%
DI	14,671	2.8	17%
AC	4,552	0.9	5%
STEEL	2,110	0.4	2%
GALV	1,363	0.3	1%
HDPE	380	0.1	1%
<b>Total =</b>	<b>87,573</b>	<b>17</b>	<b>100%</b>



Of note, the HWW distribution system includes a significant portion of undersized water mains. Approximately 48% of the pipes are less than 8-inch diameter (standard current-day minimum water main size). It is our understanding that a hydraulic model of the water distribution system has not been developed. As such, the extent of undersized water mains could negatively impact system pressures and fire flow capacities. Further, the Town of Great Barrington, in Volume II of its 2013 Master Plan, concluded that the main-line water mains in HWW are in need of upgrades, and that:

*“...poor water pressure for firefighting standards in the area of the Housatonic Mills is one of the several challenging obstacles to easy redevelopment of the mills. Redevelopment will have to include costs of upgrades to the lines in the vicinity of the mills.”*

### EXISTING WATER RATE STRUCTURES

The GBFD bills its water users on a quarterly basis using an ascending rate structure. For Fiscal Year 2018 (FY2018), there was a minimum bill of \$38.39 for the first 3,740 gallons of water used per billing period, and an ascending rate ranging from \$2.08 to \$2.32 per 1,000 gallons of water consumed beyond the base usage allowance. In addition to water user fees, the GBFD supplements its water usage revenues by collecting property taxes from its customers. For FY2018, the property tax portion of the GBFD water bill was \$1.09 per \$1,000 of assessed valuation (reduced to \$0.99/\$1,000 of valuation in FY2019). A summary of the GBFD’s FY2018 water rate structure is included in Table 3 below.

**Table 3  
GBFD Water Rate Structure (FY2018)**

<b>Allowance (cf)</b>	<b>Rate (\$/cf)</b>	<b>Allowance (gal)</b>	<b>Rate (\$/1000 gal)</b>
501-1,000	\$0.0157	3,741-7,482	\$ 2.08
1,001-1,500	\$0.0165	7,483-11,220	\$ 2.20
1,501-3,000	\$0.0169	11,220-22,440	\$ 2.24
3,001+	\$0.0174	22,440+	\$ 2.32
<b>Minimum Bill = \$38.39 for the first 500 cf</b>		<b>Minimum Bill = \$38.39 for the first 3,730 gal</b>	
<b>GBFD Water Customers were charged an additional Mill Rate of \$1.09 for FY2018.</b>			

The average daily consumption for residential water users in the GBFD from CY2013 to CY2014 was 127 gpd. Water customers in the GBFD use more water than those customers in the HWW.

The HWW bills its water users monthly based on the size of their water meters. This base charge includes a monthly water consumption allowance with a corresponding minimum monthly charge. For FY2018, water users were also charged for any water usage beyond the base monthly allowance, at a rate of \$9.67 per 1,000 gallons. A summary of the HWW’s FY2018 rate schedule is included in Table 4 below.



**Table 4  
HWW Water Rate Structure (FY2018)**

Pipe Size (in)	Monthly Allowance (gallons)	Base Minimum Charge per Month
5/8 or 3/4	2,500	\$ 40.94
1	4,000	\$ 64.42
1.5	8,000	\$ 128.59
2	12,500	\$ 201.96
3	25,000	\$ 405.82
4	40,000	\$ 649.06
6	80,000	\$ 1,296.56
<b>Rate per 1,000 gallons above allowance = \$9.67</b>		

The average daily consumption for residential water users in the HWW from CY2013 to CY2014 was 106 gpd. Water customers in the HWW use less water than those customers in the GBFD.

**EXISTING ANNUAL WATER BUDGETS**

Revenues collected by the GBFD and the HWW need to cover the various operation, maintenance, capital and management costs associated with supply, treatment and distribution for their respective water utilities. Detailed FY2019 budget information was not available during this Project, so FY2019 budget data was estimated using available FY2016 budget data.

The FY2016 budget for the GBFD, as shown in Table 5 below, included operation and maintenance (O&M), salaries and wages, capital expenditures, debt service, and contribution to retained earnings. Estimated FY2019 budget data is also included in Table 5.

**Table 5  
GBFD Estimated Annual Water Budget (FY2019)**

Revenues	FY2016	FY2019
Property Taxes	\$ 631,976	\$ 690,577
User Charges	\$ 515,479	\$ 563,278
Licenses, Permits, Fees	\$ 122,760	\$ 134,143
Interest on Taxes	\$ 7,603	\$ 8,308
Interest on Investments	\$ 2,578	\$ 2,817
<b>Total Revenues =</b>	<b>\$ 1,280,396</b>	<b>\$ 1,399,123</b>
Expenditures	FY2016	FY2019
Capital Outlay	\$ 306,551	\$ 334,977
Maintenance and Operations	\$ 292,967	\$ 320,133
Salaries and Wages	\$ 276,803	\$ 302,470
Insurance and Employee Benefits	\$ 150,618	\$ 164,584
Debt Service Principal	\$ 73,199	\$ 79,987
Office and Administrative	\$ 69,071	\$ 75,476
Debt Service Interest	\$ 57,098	\$ 62,393
Contribution to Retained Earnings	\$ 54,089	\$ 59,105
<b>Total Exenditures =</b>	<b>\$ 1,280,396</b>	<b>\$ 1,399,123</b>



Similarly, the FY2016 budget for the HWW, as shown in Table 6 below, included O&M, Salaries and Wages, and contribution to retained earnings. It is our understanding that the HWW did not have any reported capital expenditures or debt service as part of this budget. Estimated FY2019 budget data is also included in Table 5.

**Table 6  
HWW Estimated Annual Water Budget (FY2019)**

<b>Revenues</b>	<b>FY2016</b>	<b>FY2019</b>
Metered Sales to General Customers	\$ 481,175	\$ 525,793
Flat-Rate Sales to General Customers	\$ 36,461	\$ 39,842
Municipal Hydrants	\$ 37,970	\$ 41,491
<b>Total Revenues =</b>	<b>\$ 555,606</b>	<b>\$ 607,126</b>
<b>Expenditures</b>	<b>FY2016</b>	<b>FY2019</b>
Salaries of General Officers and Clerks	\$ 189,182	\$ 206,724
Insurance	\$ 68,306	\$ 74,640
Purification	\$ 56,472	\$ 61,708
General Office Supplies and Expenses	\$ 54,174	\$ 59,197
Depreciation	\$ 44,937	\$ 49,104
Pumping Expenses	\$ 38,216	\$ 41,760
Miscellaneous General Expenses	\$ 27,107	\$ 29,621
Contribution to Retained Earnings	\$ 23,936	\$ 26,156
Transmission and Distribution	\$ 23,551	\$ 25,735
Source of Water Supply	\$ 15,412	\$ 16,841
Transportation Expenses	\$ 7,348	\$ 8,029
Law Expenses (and professional services)	\$ 6,965	\$ 7,611
<b>Total Expenditures =</b>	<b>\$ 555,606</b>	<b>\$ 607,126</b>

### **POTENTIAL COMBINED WATER UTILITY CONCEPT (CURRENT CONDITIONS)**

The attached Figure 2 includes a summary of the water sources, numbers of water customers and residents, and lengths of water mains and hydrants for each existing/separate water utility, as well as the combined statistics for a conceptual single water utility.

Further, the attached Figure 3 shows a side-by-side comparison of the estimated FY2019 budgets for the GBFD and the HWW, as well as the projected budget for a single combined water utility. The FY2019 budgets were determined by escalating the FY2016 budget by 3% per year (compounded). The combined budget, which is again based on available FY2016 data escalated to FY2019, assumes a single management structure for one larger water utility.

Further, the attached Figure 4 estimates separate/average annual (FY2019) water costs per EDU for the GBFD and the HWW customers, as well as a potential/combined net average annual water cost per EDU for a single combined water utility.

### **WATER INFRASTRUCTURE NEEDS**

The GBFD and the HWW systems both have limitations and capital needs. For example, each utility has only one water supply source each, and many of the pipes in both systems are in need of replacement. It is our understanding that the GBFD does not have a working infrastructure inventory of the components of



its water system, including expected useful life, or an asset management plan with a schedule for replacement. Accordingly, MassDEP has required that GBFD:

*“...create a Capital Improvement Plan (CIP) with an infrastructure inventory that includes all components of the PWS distribution, source, and storage system elements and includes a long-term replacement plan for large equipment or construction that will be needed over the next 20 years; and an Asset Management Plan with written estimates of the useful life of all assets and a schedule and cost estimates for replacing or upgrading all its assets before December 31, 2018.”*

The HWW recently completed a Master Plan, as required by MassDEP. The Master Plan prioritized needs over the next 20 years, including a Capital Improvement Plan set over two phases. Phase 1 (2016 – 2021) included replacement meters, pump house improvements, 1,000 feet of replacement pipe, and an annual replacement allowance. The meter replacement program began on May 1, 2017 and continues to replace water meters, while a portion of water mains on Route 183 were replaced with 8-inch ductile iron water mains. Phase 2 (2022 - 2036) includes the construction of a redundant transmission line from the LPWTP to Route 41, pump house improvements, transmission line replacements, and a possible permanent connection with GBFD, as well as construction of a meter pit.

### CONCEPTUAL CAPITAL PROGRAM

A preliminary opinion of probable cost (OPC) was prepared for both distribution systems based on the available pipe type and pipe diameter data. The total current-day replacement costs for the GBFD and the HWW distribution systems were estimated to be \$54,429,000 and \$22,315,000, respectively. This data is summarized in the attached Tables 7 and 8.

The primary capital needs over the coming decades for both the GBFD and the HWW, include the replacement of old and undersized pipes in the distribution systems, as well as likely upgrades at the respective water supply/treatment facilities. Water mains typically have a life expectancy of 50 to 75 years, largely depending on soil and backfill conditions. The attached Tables 9 and 10 illustrate the anticipated/conceptual replacement schedule for pipes in the GBFD and the HWW distribution systems, respectively. Further, following are the assumptions that were used to estimate the respective capital plans and timelines presented in Tables 9 and 10:

- All pipes less than 6-inch diameter will be replaced within the first 10-year period. This accelerated schedule would allow for fire flow and safety concerns to be addressed.
- Both the GBFD and the HWW distribution systems will be replaced over a 50-year period.
- CI and AC pipes, greater than or equal to 6-inch size, will be replaced from years 11 to 30.
- The remaining AC and DI pipes (and other remaining pipes), greater than or equal to 6-inch diameter, will be replaced from years 31 to 50.

The physical interconnection of the two separate water utilities would likely include the construction of a 14,500-foot water main (12-inch diameter) on North Plain Road, from the HWW LPWTP to an existing 12-inch water main in the GBFD water service area. The construction cost for a 12-inch water main was estimated at \$300 per linear foot, with an estimated total project cost of \$4,350,000.



Since mechanical equipment generally has a life expectancy of 20 years, capital needs at both Water Treatment Plants are also anticipated. We assumed that the capital needs (current day costs) for each WTP are approximately \$5 per gpd of permitted capacity. Therefore, the total current-day costs for upgrades to the GBFD and HWW plants were estimated to be \$5,350,000 and \$1,350,000, respectively. The anticipated timeline for the GBFD WTP upgrades is from Years 11 to 20, and those at the HWW WTP upgrades is from Years 21 to 30.

Two alternatives were considered to illustrate the estimated unit costs per EDU over the next 10 to 15 years for the anticipated capital plans, including: (1) implementing the capital needs for both water systems while maintaining separate water utilities; and (2) combining the two water systems into a single utility. Following are detailed criteria used for the analysis:

- We assumed that a combined water utility would not become effective until FY2022.
- Annual costs for anticipated capital projects were financed over 20 years at an annual interest rate of 2%.
- An annual inflation of 3% per year (compounded annually), as well as the projected capital expenditures.

A summary of the projected annual and monthly unit costs per EDU for both utilities are shown in Figures 5A and 5B. Similarly, a summary of the projected annual and monthly unit costs per EDU for the combined water utility concept are shown in Figures 6A and 6B.

## CONCLUSIONS

The GBFD and the HWW both have significant distribution system capital needs that need to be addressed over the coming decades. The extent of older and undersized pipes in the HWW require a more aggressive replacement program than that in the GBFD. If each utility were to independently implement their capital improvement plans separately, the net costs would be much higher than if the upgrades were constructed as separate utilities. The possibility of merging the two water utilities could: (1) help share the cost of upgrading the distribution systems; (2) decrease overall management costs; (3) provide redundancy for adequate and safe water supply for the overall water customer base; (4) maximize the affordability threshold to residents and businesses; (5) yield water infrastructure conditions that could promote development and re-development, both of which increase the tax base and stabilize net tax rates; and (6) could offer Great Barrington residents and businesses a more sustainable water utility solution.

## PRELIMINARY RECOMMENDATIONS AND NEXT STEPS

Upon review of this draft memorandum, the preliminary information submitted herein, and subsequent meetings with the Town and related parties, follow-up tasks and action items can be considered and/or prioritized based on collective interest. Potential steps, if the concept is advanced, include:

1. Review this draft memorandum, update as necessary based on Town input, and publicly present the updated/final memorandum.
2. Continue to discuss the potential merits of a single combined water utility and the Town's involvement in such a concept.

3. Confirm and update the details of the separate and combined infrastructure concepts presented herein.
4. Explore the benefits of grants, loans and requests for ear-marks on net annual costs and perceived affordability.
5. Perform due diligence on the extent of infrastructure needs in both distribution systems, including separate/combined hydraulic models, evaluation of assets, asset management plans and confirmation of capital needs.
6. Obtain key input from both water utilities, MassDEP and Legal Counsel.
7. Refine the timeline of the potential merged utility concept, including a realistic start-date milestone.

**Table 7**  
**Estimated Current Day (FY2019) Replacement Cost for GBFD Distribution System**



Pipe Type	Pipe Diameter (in)	Estimated Unit Replacement Cost (\$/ft)	Length of Pipe (ft)	Estimated Total Replacement Cost (2018 Costs)
Cast Iron	4	\$ 250	4,102	\$ 1,026,000
Cast Iron	6	\$ 250	27,905	\$ 6,977,000
Cast Iron	8	\$ 250	8,300	\$ 2,075,000
Cast Iron	10	\$ 275	10,341	\$ 2,844,000
Cast Iron	12	\$ 300	4,333	\$ 1,300,000
Ductile Iron	4	\$ 250	1,201	\$ 301,000
Ductile Iron	6	\$ 250	14,466	\$ 3,617,000
Ductile Iron	8	\$ 250	25,765	\$ 6,442,000
Ductile Iron	12	\$ 300	19,509	\$ 5,853,000
Transite	6	\$ 250	23,735	\$ 5,934,000
Transite	8	\$ 250	35,843	\$ 8,961,000
Transite	12	\$ 300	23,667	\$ 7,101,000
PVC	2	\$ 250	4,410	\$ 1,103,000
PVC	4	\$ 250	523	\$ 131,000
HDPE	6	\$ 250	3,055	\$ 764,000
<b>Total =</b>			<b>207,156</b>	<b>54,429,000</b>

**Table 8**  
**Estimated Current Day (FY2019) Replacement Cost for HWW Distribution System**

Pipe Type	Pipe Diameter (in)	Estimated Unit Replacement Cost (\$/ft)	Length of Pipe (ft)	Estimated Total Replacement Cost (2018 Costs)
Cast Iron	2	\$ 250	3,761	\$ 941,000
Cast Iron	4	\$ 250	16,596	\$ 4,149,000
Cast Iron	6	\$ 250	8,464	\$ 2,116,000
Cast Iron	8	\$ 250	29,182	\$ 7,296,000
Cast Iron	10	\$ 275	4,323	\$ 1,189,000
Cast Iron	12	\$ 300	2,046	\$ 614,000
Cast Iron	14	\$ 325	125	\$ 41,000
Polyethylene	2	\$ 250	380	\$ 95,000
Ductile Iron	6	\$ 250	1,532	\$ 383,000
Ductile Iron	8	\$ 250	9,235	\$ 2,309,000
Ductile Iron	12	\$ 300	3,904	\$ 1,172,000
Galvanized Iron	0.75	\$ 250	84	\$ 21,000
Galvanized Iron	1.5	\$ 250	200	\$ 50,000
Galvanized Iron	2	\$ 250	629	\$ 158,000
Galvanized Iron	2.5	\$ 250	450	\$ 113,000
Steel	1	\$ 250	587	\$ 147,000
Steel	1.5	\$ 250	69	\$ 18,000
Steel	2	\$ 250	1,454	\$ 364,000
Transite	6	\$ 250	4,205	\$ 1,052,000
Transite	8	\$ 250	347	\$ 87,000
<b>Total =</b>			<b>87,573</b>	<b>\$ 22,315,000</b>



**Table 9**  
**Estimated Current Day Replacement Cost and Schedule for GBFD Distribution System**

Pipe Type	Pipe Diameter (in)	FY2022-FY2031 (Years 1-10)	FY2032-FY2041 (Years 11-20)	FY2042-FY2051 (Years 21-30)	FY2052-FY2061 (Years 31-40)	FY2062-FY2071 (Years 41-50)	Estimated Total Replacement Cost (2018 Costs)
Cast Iron	4	\$ 1,026,000	\$ -	\$ -	\$ -	\$ -	\$ 1,026,000
Cast Iron	6	\$ 6,977,000	\$ -	\$ -	\$ -	\$ -	\$ 6,977,000
Cast Iron	8	\$ -	\$ 2,075,000	\$ -	\$ -	\$ -	\$ 2,075,000
Cast Iron	10	\$ -	\$ 2,844,000	\$ -	\$ -	\$ -	\$ 2,844,000
Cast Iron	12	\$ -	\$ 1,300,000	\$ -	\$ -	\$ -	\$ 1,300,000
Ductile Iron	4	\$ -	\$ 301,000	\$ -	\$ -	\$ -	\$ 301,000
Ductile Iron	6	\$ -	\$ -	\$ -	\$ 3,617,000	\$ -	\$ 3,617,000
Ductile Iron	8	\$ -	\$ -	\$ -	\$ -	\$ 6,442,000	\$ 6,442,000
Ductile Iron	12	\$ -	\$ -	\$ -	\$ -	\$ 5,853,000	\$ 5,853,000
Transite	6	\$ -	\$ 5,934,000	\$ -	\$ -	\$ -	\$ 5,934,000
Transite	8	\$ -	\$ -	\$ 8,961,000	\$ -	\$ -	\$ 8,961,000
Transite	12	\$ -	\$ -	\$ -	\$ 7,101,000	\$ -	\$ 7,101,000
PVC	2	\$ 1,103,000	\$ -	\$ -	\$ -	\$ -	\$ 1,103,000
PVC	4	\$ 131,000	\$ -	\$ -	\$ -	\$ -	\$ 131,000
HDPE	6	\$ -	\$ 764,000	\$ -	\$ -	\$ -	\$ 764,000
<b>Total =</b>		<b>9,237,000</b>	<b>13,218,000</b>	<b>8,961,000</b>	<b>10,718,000</b>	<b>12,295,000</b>	<b>54,429,000</b>

**Table 10**  
**Estimated Current Day Replacement Cost and Schedule for HWW Distribution System**

Pipe Type	Pipe Diameter (in)	FY2022-FY2031 (Years 1-10)	FY2032-FY2041 (Years 11-20)	FY2042-FY2051 (Years 21-30)	FY2052-FY2061 (Years 31-40)	FY2062-FY2071 (Years 41-50)	Estimated Total Replacement Cost (2018 Costs)
Cast Iron	2	\$ 941,000	\$ -	\$ -	\$ -	\$ -	\$ 941,000
Cast Iron	4	\$ 4,149,000	\$ -	\$ -	\$ -	\$ -	\$ 4,149,000
Cast Iron	6	\$ 2,116,000	\$ -	\$ -	\$ -	\$ -	\$ 2,116,000
Cast Iron	8	\$ -	\$ -	\$ 7,296,000	\$ -	\$ -	\$ 7,296,000
Cast Iron	10	\$ -	\$ -	\$ 1,189,000	\$ -	\$ -	\$ 1,189,000
Cast Iron	12	\$ -	\$ -	\$ 614,000	\$ -	\$ -	\$ 614,000
Cast Iron	14	\$ -	\$ -	\$ 41,000	\$ -	\$ -	\$ 41,000
Polyethylene	2	\$ 95,000	\$ -	\$ -	\$ -	\$ -	\$ 95,000
Ductile Iron	6	\$ -	\$ -	\$ -	\$ 383,000	\$ -	\$ 383,000
Ductile Iron	8	\$ -	\$ -	\$ -	\$ -	\$ 2,309,000	\$ 2,309,000
Ductile Iron	12	\$ -	\$ -	\$ -	\$ -	\$ 1,172,000	\$ 1,172,000
Galvanized Iron	0.75	\$ 21,000	\$ -	\$ -	\$ -	\$ -	\$ 21,000
Galvanized Iron	1.5	\$ 50,000	\$ -	\$ -	\$ -	\$ -	\$ 50,000
Galvanized Iron	2	\$ 158,000	\$ -	\$ -	\$ -	\$ -	\$ 158,000
Galvanized Iron	2.5	\$ 113,000	\$ -	\$ -	\$ -	\$ -	\$ 113,000
Steel	1	\$ 147,000	\$ -	\$ -	\$ -	\$ -	\$ 147,000
Steel	1.5	\$ 18,000	\$ -	\$ -	\$ -	\$ -	\$ 18,000
Steel	2	\$ 364,000	\$ -	\$ -	\$ -	\$ -	\$ 364,000
Transite	6	\$ -	\$ 1,052,000	\$ -	\$ -	\$ -	\$ 1,052,000
Transite	8	\$ -	\$ -	\$ 87,000	\$ -	\$ -	\$ 87,000
<b>Total =</b>		<b>\$ 8,172,000</b>	<b>\$ 1,052,000</b>	<b>\$ 9,227,000</b>	<b>\$ 383,000</b>	<b>\$ 3,481,000</b>	<b>\$ 22,315,000</b>

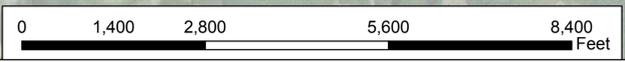


Long Pond Reservoir

Green River Infiltration Gallery

**Legend**

-  Potential Interconnection of HWW & GBFD Distribution Systems
-  Approximate HWW Service Area
-  Approximate GBFD Service Area
-  Parcel



Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

**Town of Great Barrington, MA**

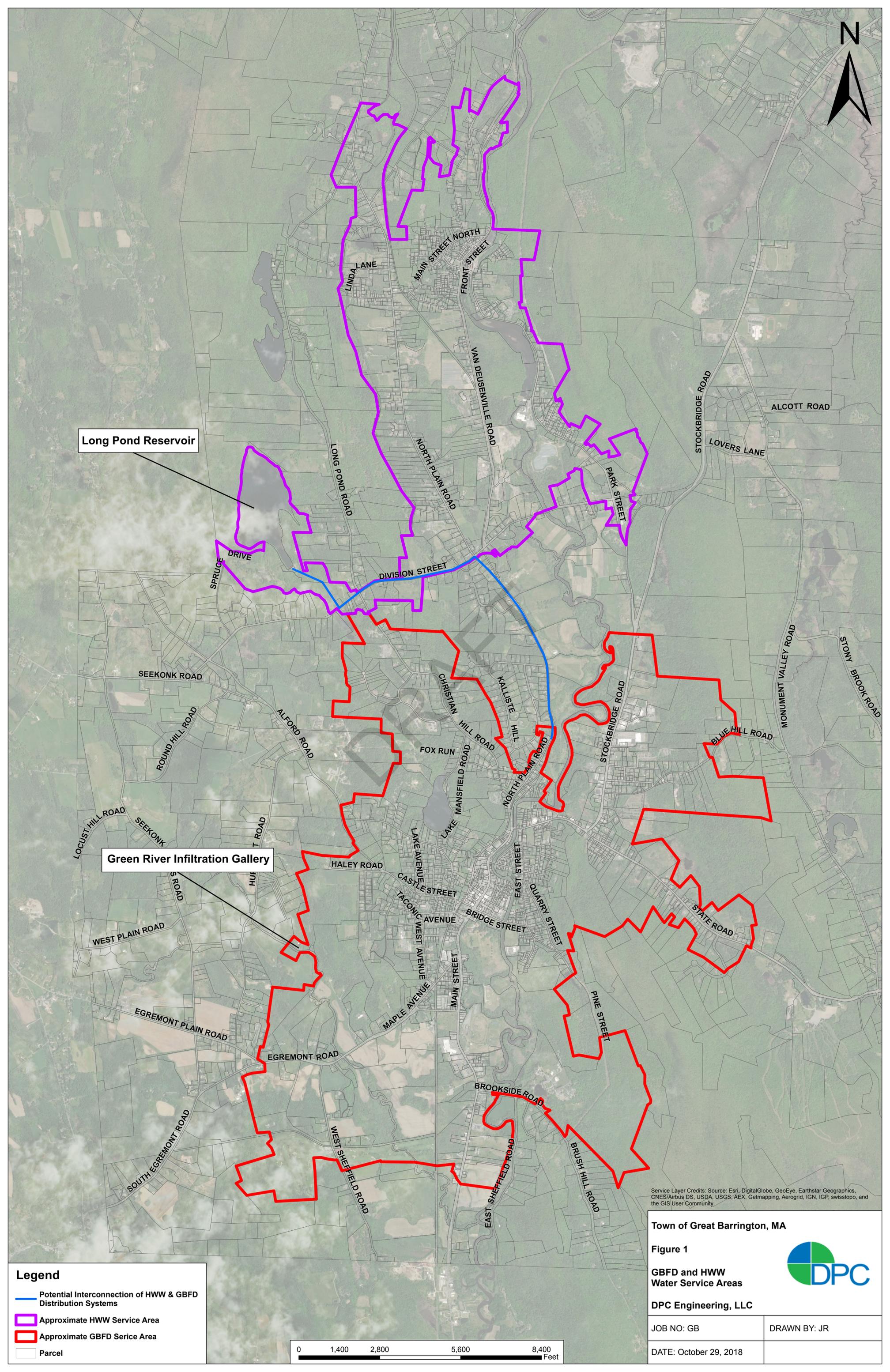
**Figure 1**

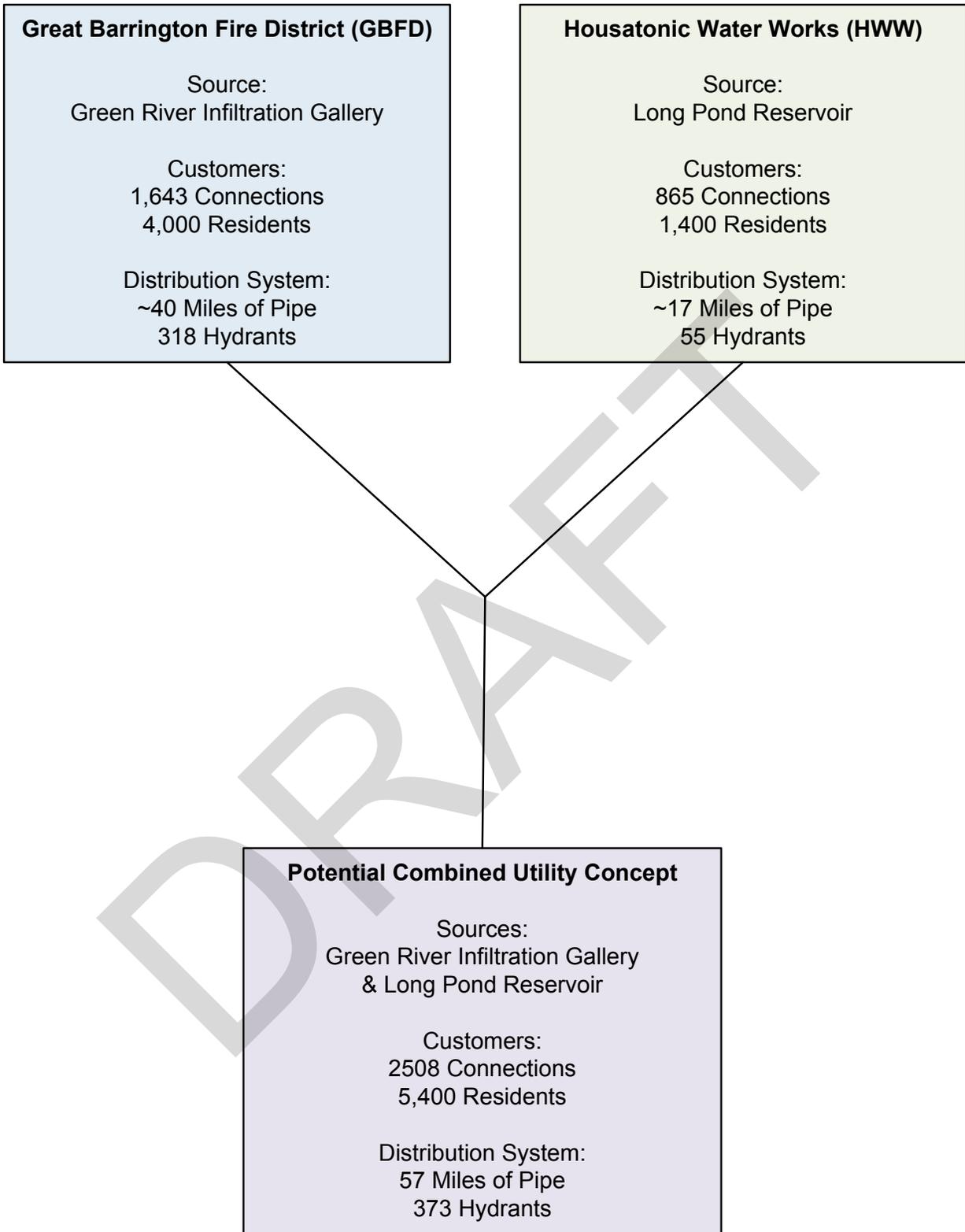
**GBFD and HWW Water Service Areas**



**DPC Engineering, LLC**

JOB NO: GB	DRAWN BY: JR
DATE: October 29, 2018	

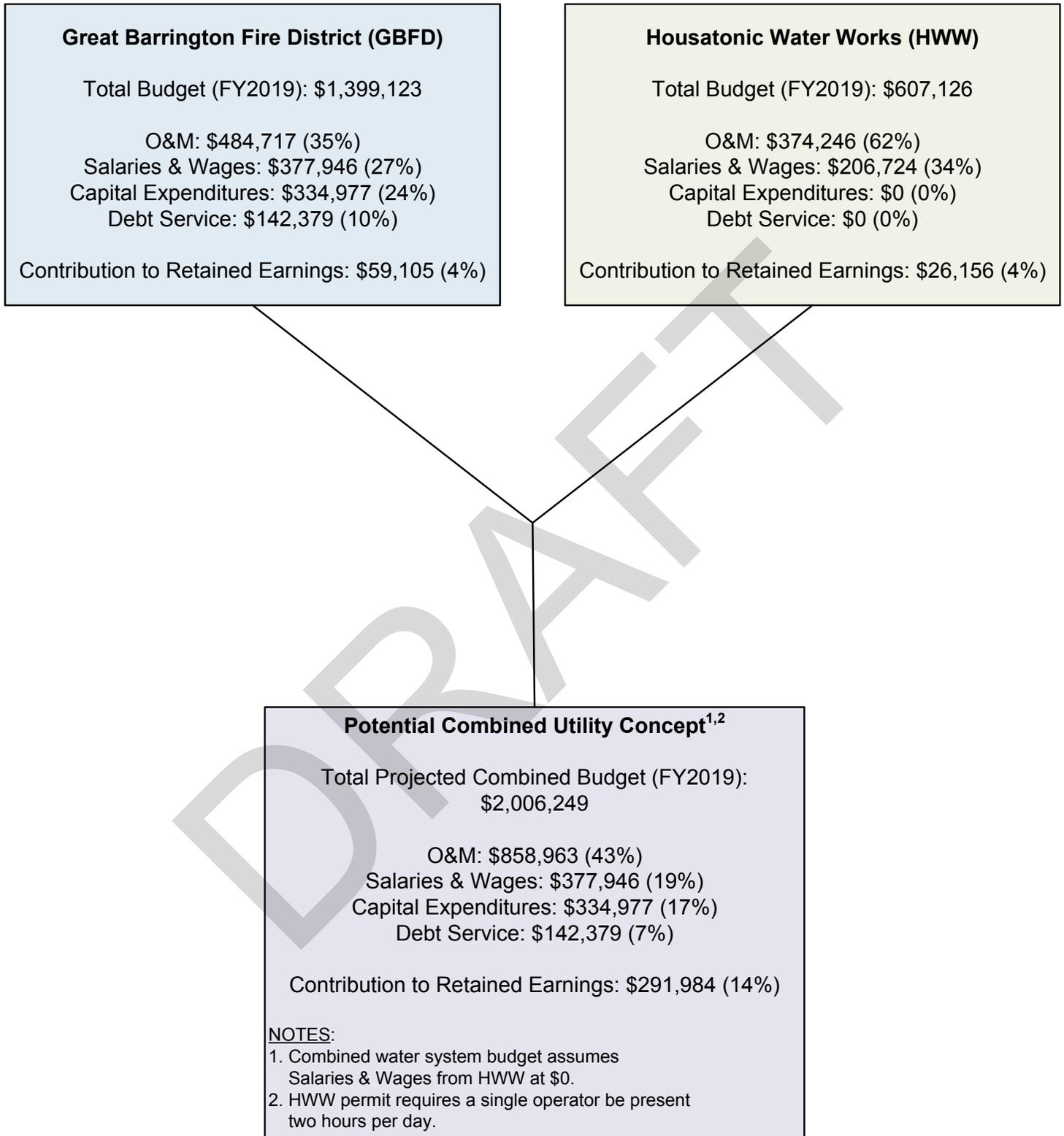




**Figure 2**  
**Preliminary Summary of Water Supply, Distribution & Customers by Utility**  
**Conceptual Water Systems Management Framework Project**

Town of Great Barrington, MA  
 Prepared on October 29, 2018

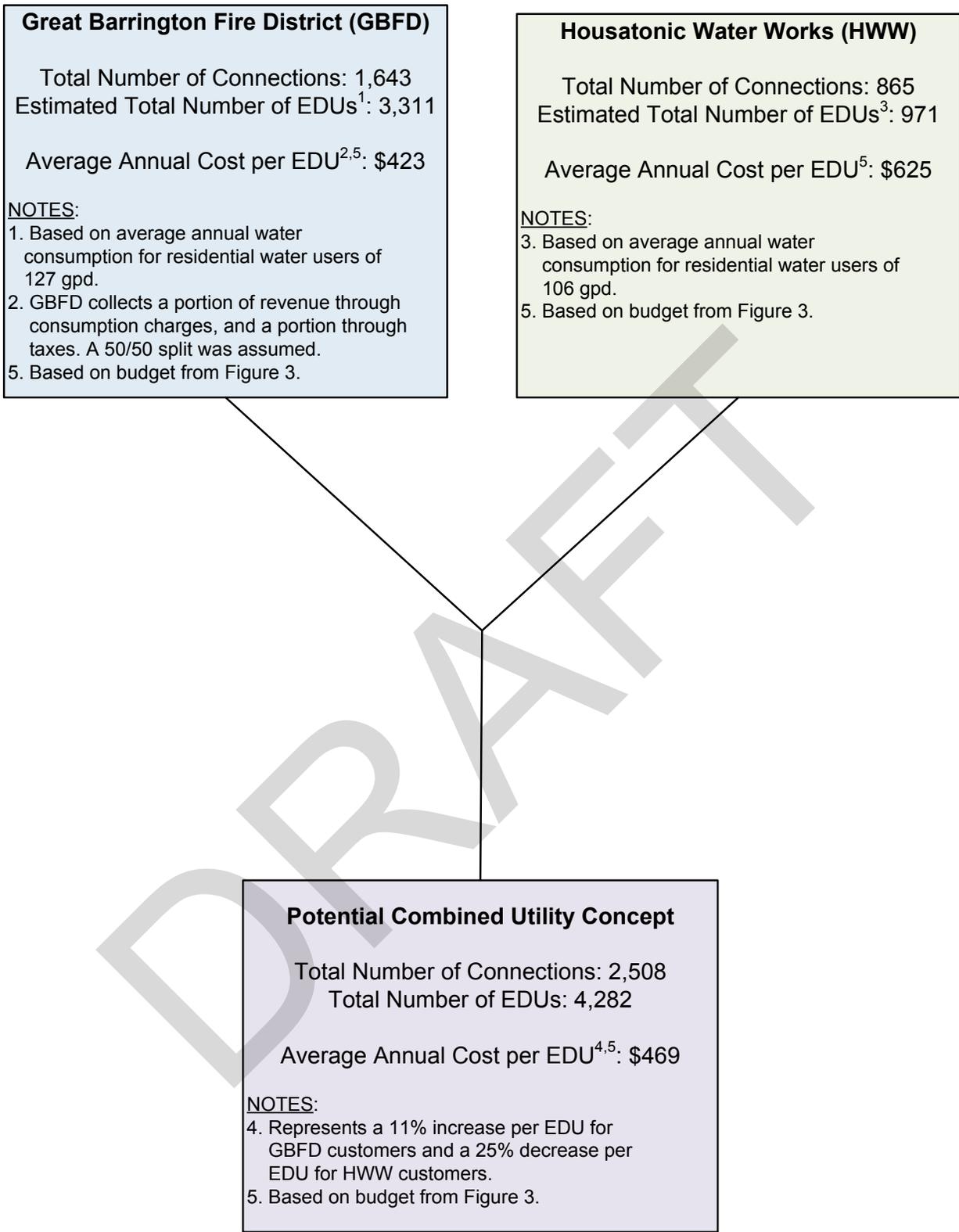




**Figure 3**  
**Preliminary Summary of Total Budget Information by Utility**  
**Conceptual Water Systems Management Framework Project**

Town of Great Barrington, MA  
 Prepared on October 29, 2018

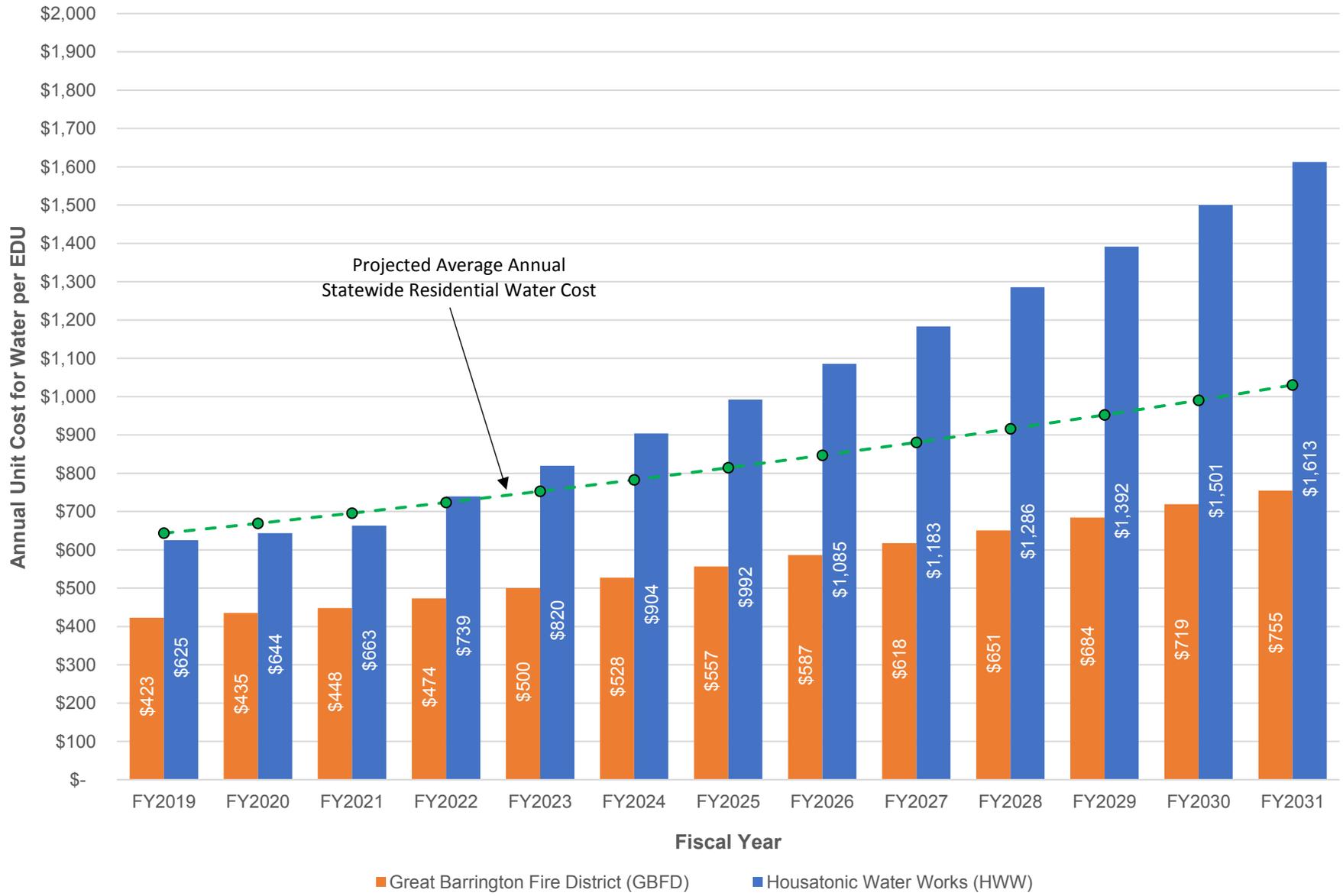




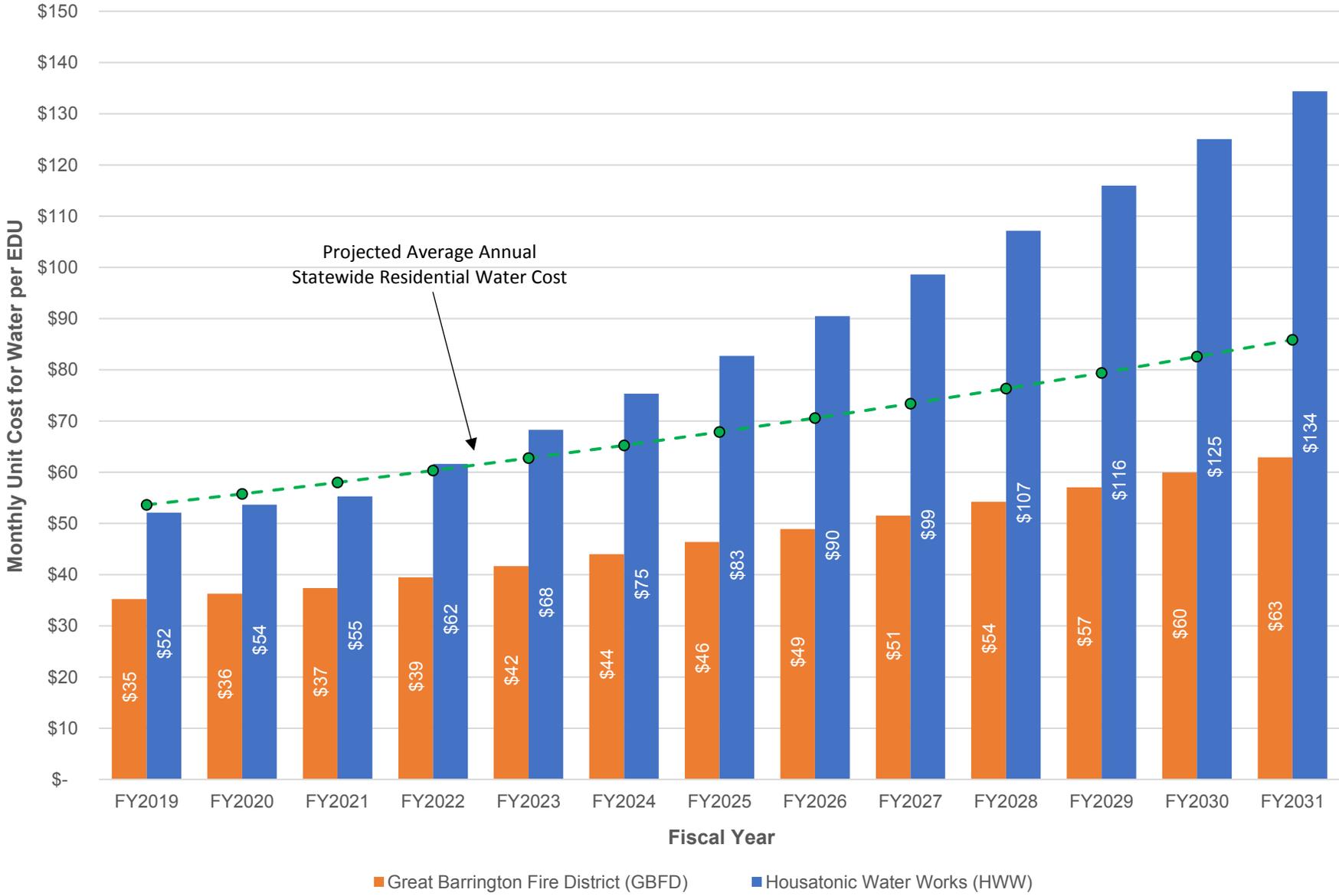
**Figure 4**  
**Preliminary Summary of Unit Budget Information by Utility (FY2019)**  
**Conceptual Water Systems Management Framework Project**



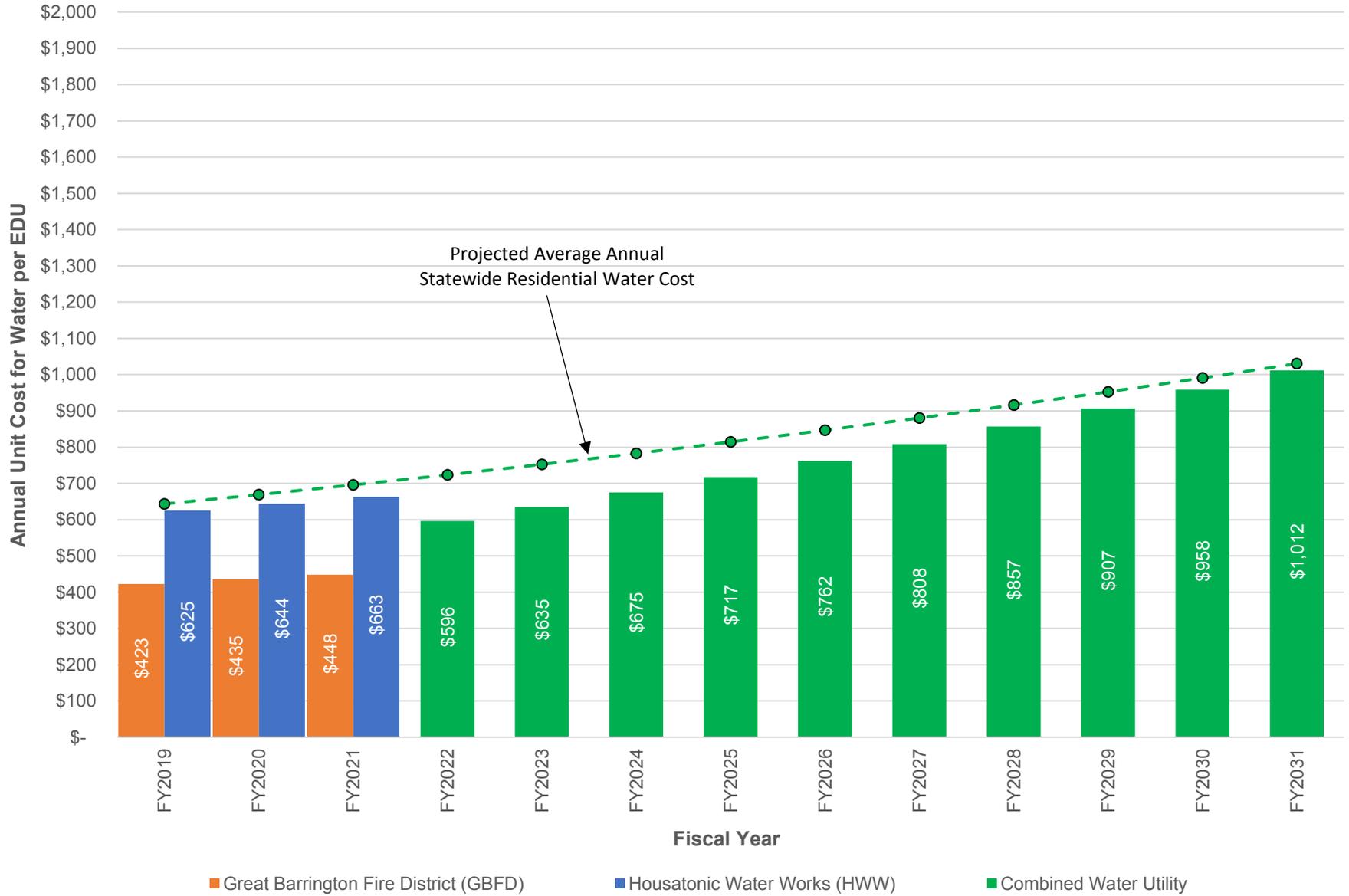
**Figure 5A: Annual Unit Water Costs per EDU for Separate Utility Alternatives**



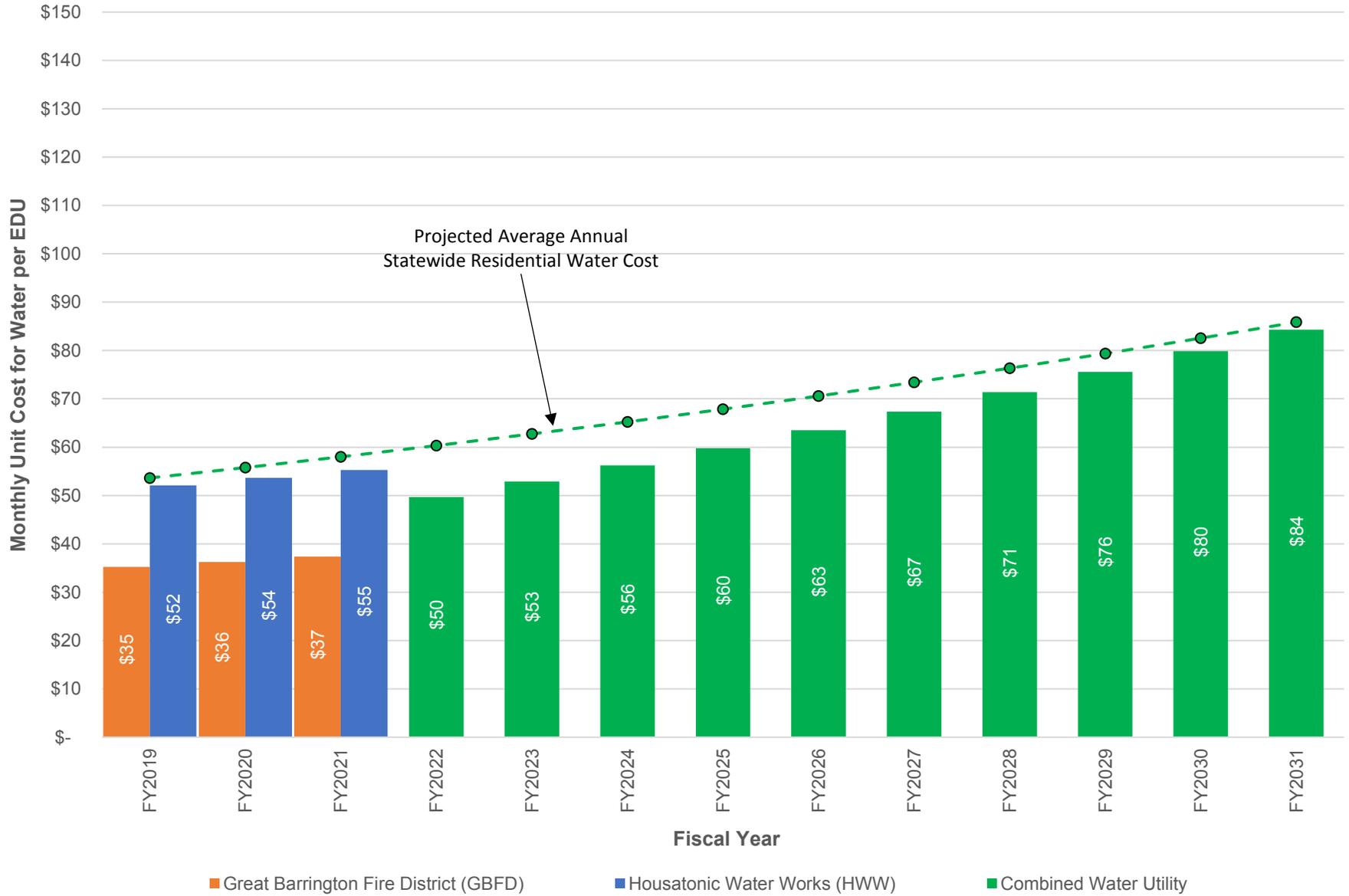
**Figure 5B: Monthly Unit Water Costs per EDU for Separate Utility Alternatives**



**Figure 6A: Annual Unit Water Costs per EDU for Combined Utility Alternative**



**Figure 6B: Monthly Unit Water Costs per EDU  
for Combined Utility Alternative**



**From:** David Doneski <[DDoneski@k-plaw.com](mailto:DDoneski@k-plaw.com)>  
**Sent:** Tuesday, November 15, 2022 3:19 AM  
**To:** Mark Pruhenski <[MPruhenski@Townofgb.org](mailto:MPruhenski@Townofgb.org)>  
**Subject:** RE: Cannabis Free Cash Question

Mark,

As a follow-up to our phone conversation earlier in the fall, I have the following general comments on the issue of funds received as impact fees under host community agreements (HCAs) with marijuana establishments and now held as free cash (pursuant to the certification process of the Department of Revenue), and in light of the recent amendment of G.L. c. 94G by Chapter 180 of the Acts of 2022.

As generally outlined in the September 6, 2022 eUpdate attached, Chapter 180 amended the local control provisions in section 3 of Chapter 94G of the General Laws to establish new requirements and limitations for impact fees under host community agreements. These include calculation of the fee for the establishment's preceding year of operations based on documented costs imposed upon the municipality by operation of the establishment; statement of the impact fee as a specific dollar amount and not a percentage of sales; and transmission of a fee notice to the establishment within one month after renewal of the establishment's license by the Cannabis Control Commission. As noted in the eUpdate, and as reported on in various media publications, Chapter 180 does not speak explicitly on how it applies to HCAs existing as of Chapter 180's effective date so there would appear to be some issues yet to be decided for those HCAs. Relevant to that point, the amended section 3 directs the Commission to "issue rules and promulgate regulations necessary to implement" the revised HCA provisions. By section 28 of Chapter 180, the Commission has one year from the effective date of Chapter 180 (November 9, 2022) to adopt the required regulations. At this time, I would expect the Commission to take most of that one-year period to adopt the regulations, meaning we could expect to see them finalized in the fall of 2023. In the interim, the following points are notable:

Even before its amendment by Chapter 180, section 3 of G.L. c. 94G, included a requirement that impact fees be imposed to address municipal costs related to operation of the establishment and that such costs be tracked:

. . . the community impact fee shall be reasonably related to the costs imposed upon the municipality by the operation of the marijuana establishment or medical marijuana treatment center and shall not amount to more than 3 per cent of the gross sales of the marijuana establishment or medical marijuana treatment center or be effective for longer than 5 years. Any cost to a city or town imposed by the operation of a marijuana establishment or medical marijuana treatment center shall be documented and considered a public record as defined by clause Twenty-sixth of section 7 of chapter 4.

Impact fees collected should be deposited into the municipality's general fund (unless another legal depository is established, such as a special purpose stabilization fund), and are not available for expenditure until they are included in the free cash amount certified by the Department of Revenue and appropriated by action of Town Meeting.

While some municipalities are acting to modify collection of impact fees, it is my view that unless and until the Commission or the Legislature specifically limits expenditure of impact fees collected under

host community agreements prior to the effective date of Chapter 180 of the Acts of 2022 such fees may be expended to address municipal costs related to operation of the establishment that pays the fees.

In communications to other clients we have identified the following municipal cost items that could be related to operation of a marijuana establishment. Each will depend on the particular circumstances.

- Municipal inspection costs.
- Executive, planning, legal, and inspection staff time spent involving comprehensive business plan review, community outreach and other assistance.
- Executive and administrative time associated with Host Community Agreement (“HCA”) negotiations.
- Planning staff time to facilitate permitting; other staff time related to public hearings/meetings on permits/licenses for Establishment operations.
- Traffic studies and/or mitigation review and implementation, including the implementation of new traffic signs and signals.
- Increased law enforcement services and public safety personnel, including overtime costs where higher congestion or crowds are anticipated and/or where criminal activity has been reported.
- Legal fees and costs associated with drafting, negotiating, and/or reviewing the HCA, operational plans and local permitting applications; legal fees and costs associated with public hearings/meetings on permits/license for Establishment licensing, including costs of publishing public hearing notices.
- Executive/administrative/staff time assisting the Establishment implement its community impact/engagement plan (including facility costs if community engagement meeting(s) held on municipal property).
- Executive and administrative time spent on developing re-opening rules during the COVID-19 pandemic and addressing Establishment operations during the pandemic.
- Time spent reviewing and responding to federal subpoenas related to marijuana establishment licensing, permitting, or operations.
- Studies or improvements to address increased impact on municipal utilities (water/electricity).
- Time spent developing community awareness of responsible approaches to cannabis use and avoidance of substance abuse.
- Costs associated with the increase in substance abuse, including but not limited to such items as increased demand on local health care clinics and facilities; need for increased counseling and/or invention programs.
- Costs related to increased fire protection services.
- Costs related to road and other infrastructure systems and improvements.
- Costs associated with record keeping, including but not limited to documentation of costs reasonably related to community impacts.
- Potential public use and underage user enforcement costs.
- Costs to address potential public health consequences of marijuana use.
- Educational programming cost including public health classes and DARE resource costs.
- Infrastructure studies.
- Municipal review of future operational issues.
- Costs of drug recognition expert and advanced roadside impairment driving enforcement training programs for local police officers.

- Other specialized training for local law enforcement officers.
- Executive/administrative/staff/public safety/legal time spent responding to complaints or inquiries about the Establishment or its operations.
- Any other municipal costs incurred in relation to the Establishment or its operations.
- Studies to determine relative increase in substance abuse problems in the community
- Legal fees associated with agreements other than the HCA, such as parking licenses; leases, easements or sale of city/town property, etc.
- Police/Fire time associated with security plan review.
- Executive and Administrative time associated with budget development to address community impacts.
- Time spent responding to Public Records Requests related to the Establishment or its operations.
- School-specific programming and services.

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