

CONSECUTIVE WATER SYSTEM AGREEMENT

Bristol Water Department / Kilbourne Mobile Home Park Owners: Addison County Community Trust

Under the conditions of the following agreement and in consideration of the obligations set forth below, the Bristol Water Department agrees to give certification to the Vermont Drinking Water and Groundwater Division on behalf of the Kilbourne Mobile Home Park in their “Consecutive System Exemption” application.

The Bristol Water Department (BWD) and Kilbourne Mobile Home Park (KMHP) agree to the following:

1. The BWD shall include the KMHP in its water quality sampling plans, and shall be responsible for conducting water sampling in a manner as to ensure the water quality within the park. This regular sampling will be the responsibility of the BWD. In the event of water quality issues arising from causes within the KMHP water system infrastructure, KMHP shall be responsible for any necessary sampling, testing, repairs, excavation, and construction to return the system to a positive state of compliance.
2. The BWD shall provide Consumer Confidence Reports to the individual KMHP users.
3. The BWD shall provide public notice to the individual KMHP users in the event a violation of a drinking water contamination standard exists or if the Secretary of the Agency of Natural Resources determines that a condition exists that may present a risk to public health.

KMHP shall be responsible for the maintenance, repair and effective operation of the park’s water system infrastructure. Said infrastructure shall be defined as all components of the park’s water system beyond the main valves located at _____

KMHP shall provide the BWD with a list of names and addresses for all water system users within the park and shall be responsible for providing changes to this list as they occur.

4. The BWD shall have the discretionary option of withdrawing from this agreement at any time and thereby immediately concluding its obligations. In the event of such a withdrawal, BWD shall promptly notify the Vermont Drinking Water and Groundwater Protection Division and KMHP.

5. KMHP shall indemnify and hold harmless the Town of Middlebury and BWD with regard to any liability based upon the condition of KMHP's water system or any contamination of the water after it has entered said system, and KMHP shall provide proof of insurance of said obligation to the Town and BWD.

6. Either party may terminate this Agreement, in whole or in part, in writing if the other party substantially fails to fulfill its obligations under this Agreement through no fault of the terminating party. However, no such termination may be affected unless the other party is given (1) not less than sixty (60) calendar days' written notice (delivered by certified mail, return receipt requested) of intent to terminate and (2) an opportunity for consultation with the terminating party before termination.

Dated: _____

Bristol Selectboard

Dated: _____

Addison County Community Trust

By:

Its authorized agent

Bristol Town Administrator

From: P2 Environmental <beaves@sover.net>
Sent: Wednesday, October 7, 2020 5:02 PM
To: Bristol Town Administrator
Cc: 'Scott Beavers'; 'Jill Marsano'; Treasurer; Bristol Clerk; 'Chris Ouellette'
Subject: RE: Kilbourne Mobile Home Park WSID 20612

Hi Valerie - Thank you for checking the SPAM.

We just appreciate the confirm because we know Emails sometime get misdirected into that box.

With regard to time sensitive - we were hoping to get an agreement sent forth for November before winter sets in.

I have included Chris Ouellette who is the Property Manager at ACCT on this reply. I will forward your original email with the Woodland Apartment documents.

I know when we had the Sanitary Survey there the end of 2018, Heather Collins mentioned drafting an agreement like the one I sent you.

The Agreement just outlines that the Owner is responsible for distribution repairs (this can be done by the Water Department making the repairs and ACCT pay the bill) and of course including them in some sampling plans.

I understand the full Select board agenda next week and, if it is possible, October 26th would be great if you could put it on the agenda and we can plan a conversation beforehand.

Please let us know.

Thank you again! Patricia

Patricia M. Beavers
P2 Environmental, Inc.
19 Johnson Circle
Tunbridge, VT 05077
802.763.3937 phone and fax
802.384.0421 field phone
www.p2water.com

From: Bristol Town Administrator <townadmin@bristolvt.org>
Sent: Wednesday, October 07, 2020 4:39 PM
To: beaves@sover.net
Cc: 'Scott Beavers' <scott@p2water.com>; 'Jill Marsano' <jill@vtums.com>; Treasurer <treasurer@bristolvt.org>; Bristol Clerk <clerk@bristolvt.org>
Subject: RE: Kilbourne Mobile Home Park WSID 20612

Hi Patricia,

I should correct one thing on the matter of timing: though I found your e-mail late in the morning, it did not get forwarded to Jen and VTUMS until later in the afternoon.

Thanks,

--Valerie

Valerie Capels, Town Administrator
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Tw: @BristolTownAdm

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From: Bristol Town Administrator
Sent: Wednesday, October 7, 2020 4:26 PM
To: 'beaves@sover.net' <beaves@sover.net>
Cc: 'Scott Beavers' <scott@p2water.com>; 'Jill Marsano' <jill@vtums.com>; Jen Myers - Town of Bristol <treasurer@bristolvt.org>; Sharon Lucia - Bristol Town Clerk <clerk@bristolvt.org>
Subject: RE: Kilbourne Mobile Home Park WSID 20612

Hi Patricia,

Believe it or not, I found your e-mail in my SPAM/JUNK folder yesterday morning and quickly forwarded it to Town Treasurer Jen Myers, who has a long history with the day to day administration of the water system, and Water Operator VTUMS for their feedback. I have not had a chance to connect with Jill from VTUMS, but Jen noted that KTP is already essentially a consecutive water system with a master meter and maintenance of the distribution system.

Attached are the current documents associated with that ACCT-KTP agreement in case you have not already seen them. Also attached are documents associated with Woodland Apartments that became a consecutive system last year. It did require Town approval, updating of sampling plans, and State approval.

The Selectboard is meeting Monday, but the agenda is already pretty tight. The next meeting is Oct. 26. Can you tell me/us why this is time sensitive? I'd like to have a better sense of whether the document you drafted is necessary in light of the State approval process and, if so, whether Jen or Jill would recommend any modifications before going to the Selectboard.

Thanks,

--Valerie

Valerie Capels, Town Administrator
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From: P2 Environmental <beaves@sover.net>
Sent: Wednesday, October 7, 2020 8:35 AM
To: townadmin@bristolvt.org; 'Jill Marsano' <jill@vtums.com>
Cc: 'Scott Beavers' <scott@p2water.com>
Subject: FW: Kilbourne Mobile Home Park WSID 20612

Valerie- I am resending this time sensitive Email.
Please confirm receipt.

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From: P2 Environmental <beaves@sover.net>
Sent: Thursday, October 01, 2020 6:08 AM
To: 'townadmin@bristolvt.org.' <townadmin@bristolvt.org>
Cc: 'Scott Beavers' <scott@p2water.com>
Subject: Kilbourne Mobile Home Park WSID 20612

Dear Valerie - I hope this finds you healthy and happy during these very strange times. I reached out to you in March 2018 asking the Bristol Water Department to please consider adopting the Kilbourne Mobile Home Park under a Consecutive Agreement. With really no end in sight with this pandemic, I figured this was a good time to ask that Bristol please consider this Consecutive Agreement for the ACCT. Please give me a call to discuss. In March of 2018 you suggested we write a proposal. We have a basic agreement for this very basic distribution system, that I have attached for you to look over. The system has collected two rounds of lead/copper with no detections this year and they will continue to maintain their own distribution system. I am on the road all day today and in the office tomorrow afternoon. Thank you! I look forward to hearing from you soon.
patricia

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