

8 July 2003

MEMORANDUM

From: Manager

To: Board of Trustees

Subj: MINUTES FOR BOOTHBAY REGION WATER DISTRICT MEETING 8 JULY 2003

MINUTES FOR 8 JULY 2003 BOOTHBAY REGION WATER DISTRICT BOARD OF TRUSTEES MEETING

The Board of Trustees convened at 1400 hrs. In attendance: Trustee (Chair) Irving, Trustee McNelis, Trustee Crawford, Administrative Manager Bob Raudenbush and Manager Jon "Ziggy" Ziegra. Guests: Mr. Neil Ward, Nu-Tek Homes; Mr. John Anderson, Town Manager, Boothbay; Ms. Marian Anderson, Code Enforcement Officer, Boothbay. Absent: Trustee Pinkham (Vice Chair), Trustee Curtis.

1. Trustee Irving called the meeting to order at 1400 hr.
2. The minutes of the 24 June 2003 meeting were approved.
Trustee Crawford motioned, Trustee McNelis second, vote: unanimous
3. The Board approved warrants 37, 38 & 39.
Trustee McNelis motioned, Trustee Crawford second, vote: unanimous
4. The Board recognized Mr. Neil Ward, President, Nu-Tek Homes Inc. to elaborate on his complaint concerning the Managers alleged actions and negligence concerning the construction of the Knapp residence at the head of Adams Pond. Mr. Ward alleged the Manager interfered with blasting operations and told the contractor, T.E. Gould Blasting to leave the site on 12 May 2003. Mr. Ward stated that the blaster had deployed all of his equipment and was told by the Manager to cease any blasting activity in which was planned. Mr. Ward explained that because of the Managers alleged actions he suffered \$2,350.00 damage and seeking recompense

Trustee Irving asked the Boothbay Code Enforcement Officer (CEO) to explain the chain of events. She stated that she had been in contact with the Manager previously, concerning this project but had limited their conversation to set backs, erosion control and septic size and design. She stated that when contacted on 9 May 2003 by the District, upon the District's first knowledge of blasting, that she contacted Mr. Ward and asked him to contact the District, which he did not do.

Trustee Irving asked the Manager to explain the course of events from his point of view. The Manager corroborated the CEO's description of events. The Manager was most concerned about the Adams Pond Dam and the apparent fact that Mr. Ward was going to run a foundation drain directly into Adams Pond. The Manager reported that on 12 May 2003, upon the advice of the CEO and the Town Manager, he visit the site. Upon arriving the Manager alerted the blasting crew to the fact there was a dam, that they admittedly did not know existed, between 300 and 400 feet from the blast site and had it been surveyed by the insurance company. Additionally, the blasting company stated it did not feel right to blasting

over the silt fence to Adams Pond. The blaster, who had not deployed any equipment, stated that they had other work in Town and would be back once Mr. Ward had clarified the job.

Mr. Ward presented the Board with letters from Mr. & Mrs. Knapp, Boothbay, and T. E. Gould Blasting, for the Board's consideration. The Board stated that there was miscommunication with the parties involved and that further investigation into the matter was necessary. Trustee Irving said he would contact T. E. Gould Blasting and talk directly with them. He further invited Mr. Ward to the next meeting on 22 July 2003. Trustee McNelis tabled any action on this matter until further consideration could be given.

Trustee McNelis motioned, Trustee Cranford second, vote: unanimous

5. The CEO reported on actions she had taken concerning the 20 May 2003 Watershed Surveillance provided to her by the District. She reported that:
 - a. Big Al's had completed all requested erosion control measures;
 - b. The Bryer House stockpile was actually a septic system awaiting approval because of a change of design but if the District wanted erosion control she would see to it;
 - c. M.W. Sewell and the Funeral Home "clean fill" activities had been inspected by the Department of Environmental Protection (DEP) and were found to be in satisfactory condition and exempt from current ordinances, even though the Town and District opposed their existence; and
 - d. The Baptist Church culvert had been brought to the attention of Mr. Tim Beck, Boothbay for resolution.

The Manager reported that a new report was to be sent to the Town. The CEO liked the reports but requested that they only come from the Manager making her reporting more streamlined. Trustee Irving asked if this format worked to which the CEO replied yes. He then went on to ask if this was getting her into trouble with the Boothbay Board of Selectmen, to which she replied no. The CEO reminded the Board to attend the 16 July Planning Board Meeting and bring a list of water protection priorities.

6. Trustee Irving recognized the Town Manager who reported he had invited the Commissioner of the DEP and Senator Chris Hall to tour the Boothbay Botanical Gardens, proposed transfer station site and the District. Explained the purpose of this trip was to show what was happening on the peninsula and what help could there be from the State. The Town Manager related problems in locating the solid waste facility.
7. The Administrative Manager (AM) and the Manager provided the Board with progress that had been made with CC-Net. Overall the relationship between the District and CC-Net had improved considerably. There remained issues of bleed over in the 900 MHz ranges that was causing problems with the District's telemetry. CC-Net was helping to correct these problems and the Board was to be updated at the next meeting.
8. The Manager reported Mr. Gosselin and he would be meeting with Chip Griffin Esq. To discuss the warranty deed prepared for the land acquisition on Friday. From here this would be sent to Mr. Gosselin's attorney and the closing would commence shortly thereafter.
9. Trustee Irving provided the Board with a Planning Board update. He stated that he and the Manager would be attending the 16 July 2003 meeting and directed the Manager draft a list of

- priorities for new ordinances. In addition he directed the Manager to review the final sketch, at the Planning Board meeting, of Stonewall Acres and make comments as he saw fit.
10. The AM provided the Board the bi-weekly budget update. He reported that expenses and revenues should be, as plotted linearly, at 52%. Expenses were currently 51% of budget, while revenues were at 56%. He went to report that the District would begin the transition to Quick Books® for its financial software on 11 July 2003. The sweep account was reported to be \$238,699.81 and he had still not heard from the First National Bank of Damariscotta to manage the reserve funds of the District.
 11. The Board congratulated Utilities Technician, Dale Harmon who announced the birth of his son, Brady Harmon, born 5 July 2003.
 12. The Manager reported the Kenniston Hill/East Boothbay Interconnection project now beginning to move. Surveying was in full swing and the land acquisition depended on the boundary survey once completed. The Manager reported that he and Wright Pierce had collected modeling data in East Boothbay by testing a series of hydrants. This action caused a half dozen “red water” complaints. The Manager reported he had signed the contract with Wright-Pierce to begin the design work for \$82,000.00 as authorized by the Board. The Manager reported he was awaiting to hear from Harris Golf Inc. to see if they are going to install sewer privately.
 13. The Manager reported the Fluoridation project had turned around and was now on schedule. The footings were now poured. The crew was reported to be very safety conscience and was strictly following the erosion and sediment control plan.
 14. The Manager reported that after reviewing the loan agreement with the State Revolving Fund (SRF), it made most sense to stay with that arrangement because of the favorable interest rate (3%). The Manager went on the District was completing the required environmental assessment for SRF funding.
 15. The Manager was concerned with the current water reserves. He provided the Board a graph showing the decline of Adams Pond which was at near record decline. Finally, the Manager reported that there is no flow out of Knickerbocker Lake and Campbell Creek is low.
 16. The meeting was adjourned at 1523 hr
Trustee Crawford motioned, Trustee McNelis second, vote: unanimous

END OF MINUTES

Respectfully Submitted,

Jonathan E. Ziegler
Manager