

10 August 2010

MEMORANDUM

From: Manager
To: Board of Trustees

Subj: **MINUTES FOR THE TRUSTEE MEETING 27 JULY 2010**

The Board of Trustees convened at 1902 hrs. In attendance: Trustee Pinkham (Chair), Trustee MacPhee, (Vice Chair), Trustee Marston (Treasurer), Trustee Curtis, Jon Ziegra, Manager, Bob Raudenbush, Administrative Manager (AM). Guest: Dennis Brown, Knickerbocker Lake Association. Absent: Trustee Carter (Clerk).

1. The minutes of the 13 July 2010 trustees meeting were approved.
Trustee Curtis motioned, Trustee Marston second, vote: unanimous
2. Warrants 41, 42 & 43 were approved.
Trustee Curtis motioned, Trustee Marston second, vote: unanimous
3. The manager reported that since the last meeting the district's on-site representative, the distribution foreman had been on a very well deserved vacation. The manager stated that inspection duties had fallen to either he or the assistant distribution foreman. The manager admitted that this was by far a collateral duty and oversight of Whorff Construction had been spotty at best.

The contractor is doing a very poor job completing the project. The work is slow and major issues continue not to be addressed. On 15 June 2010 the manager informed the board that a letter to Skillings & Shaw Associates, Whorff Construction's Surety, was sent on the district's behalf showing great concern for Whorff's ability to complete the project.

The manager reported that on 21 July 2010 Pay Meeting #8 was conducted at the district office. The discussion at this meeting was very frank and to the point. The manager provided the board with minutes of this meeting. At that meeting Whorff promised to complete the entire project by 30 July 2010. The manager informed the board that this was an unachievable goal. Additionally, the manager provided the board with a document from Whorff requesting 45 additional days. The manager stated that this request was unrealistic and provided the board with the district's response to this letter.

The manager informed the board that he had contacted Geoff Hole, Esq. and was preparing to declare Bill Whorff Construction, West Bath, Maine in default if the job was not 100% complete by 30 July 2010. At that point the matter will be turned over to the bonding company for resolution.

On 21 July 2010 the district met with Pike Industry and signed the contract for the Route 96 overlay. The manager reported that this contract was moving forward as planned. The manager replayed his report of the previous meeting in that he informed the board the town of Boothbay Harbor had requested a line item be attached to the contract to include some paving in Boothbay harbor to be paid for by the town. Since that meeting it was reported that Pike would be contracting separately with the town of Boothbay Harbor and there would be

no added line item to the contract. A copy of the pre-construction meeting was provided to the board.

Lastly the manager provided the board with a complaint lodged against the project by Ms. Cathy Sherrill which the manager stated had been sent on to Dirigo Engineering for resolution.

4. The AM reported the district revenues were at 94% of expected while expenses are at 87% of budget. Revenues and expenses are within budget parameters. Revenues are up compared to this time frame last year. Expenses are under for the same period.
5. The AM and manager reported no safety deficiencies or injuries to report during the period.
6. The manager discussed the operation of the treatment plant. The board was informed that the region experienced two rain events one 3.84 inches in 3 hrs and 1.75 in 90 minutes in recent storms. The chemistry for Adams Pond has gone acidic which was hampering treatment efficiency. Prior to the two rain events filter run times were 1,800 minutes which had now been reduced 1,120 minutes.
7. The manager reported that distribution operations were normal for this time of year. Meter change outs were proceeding with about a 15% failure rate. Approximately 300 meters are targeted for testing during 2010 and that target was on-track.
8. The trustees deferred final action on the SWAP until the 10 August 2010 meeting. Trustees Curtis and MacPhee were looking for clarification on a few points before the document was accepted.
9. The manger reported that on 26 July 2010 he received a telephone call from representatives of Harry Crooker Inc. asking for clarification concerning the bidding of the Bigelow Laboratory project. The manager informed the caller that the project had yet to be approved by the district and may or may not be accurate It was reported that a call was into the Knickerbocker Group to investigate the status of the Bigelow project and to inform them of the steps remaining for district approval of the project.
10. The manager reported the district had received preliminary plans for the Commercial Street project and was in the process of reviewing them for accuracy. In addition on 26 July 2010 the district hosted the first public information meeting held at the Boothbay Harbor Town Hall. . Besides the manager trustees Curtis, Pinkham and Marston had been in attendance and all reported that it had gone well and was well attended. The manager, public works director, sewer superintendent and Dirigo Engineering had been the presenters. Disseminated at the meeting was the following list of milestones.
 - a. 9 August 2010 - Submission of Plans and Specifications to USDA (funding agency)
 - b. 1 September 2010 – Advertise Project for Competitive Bid
 - c. 15 September 2010 – Pre-Bid Meeting with Perspective Contractors
 - d. 28 September 2010 – Bid Opening
 - e. 28 September or 12 October 2010 – Trustees Award Contract
 - f. Construction Window Open (to be determined)
 - g. Total Completion Date, Memorial Day 2011
11. The manager had nothing new to report on the permitting of Adams Pond.

12. The AM reported on the status of the rate case. The AM was in the process of organizing a meeting for August with the contractor to begin the rate filing process and that he had conducted research, querying other districts in the state which have used the contractor for their particular rate cases and reported the reputation of the contractor was very favorable.
13. Trustee MacPhee inquired of the manager how the Southport project was moving forward for which the manager informed the board he was behind and was hoping to get a chance to complete a draft within the next few weeks.
14. The manager recommended that the board grant a request to reduce the meter size for Mr. Richard W Curtis, Account #0200750, from a 3/4" meter to a 5/8" meter. The manager stated that this request was consistent with district policy and that the single family dwelling could be adequately served with the new meter. The board approved the request.
Trustee MacPhee motioned, Trustee Marston second, vote: unanimous
15. The meeting was adjourned at 1947hr.
Trustee Carter motioned, Trustee Marston second, vote: unanimous

Respectfully Submitted,

Jonathan E. Ziegler
Manager