

8 April 2014

MEMORANDUM

From: Manager  
To: Board of Trustees

Subj: **MINUTES FOR THE TRUSTEE MEETING 25 MARCH 2014**

The Board of Trustees convened at 1800 hrs. In attendance: Trustee Pinkham, Boothbay Harbor (Chairman); Trustee Gamage, Southport (Vice-Chairman); Trustee Lewis, Boothbay (Treasurer); Trustee Reed, Boothbay Harbor (Clerk); Trustee Marston, At-Large; Trustee Climo, Southport; Trustee Carter, Boothbay; Jonathan Ziegler, Manager. Guest: None. Absent: None.

1. The manager provided the board with a conflict of interest disclosure in that his daughter was interviewing with Wright-Pierce Engineering at their request for the [position of a summer engineering internship. The manager disclosed that if selected would be working with GIS mapping with a high likelihood of being assigned to the district's on-going GIS project. The manager stated that this was at the request of Wright-Pierce Engineering based on merit and with no expectation of favoritism by the district towards Wright-Pierce. The manager concluded his disclosure by stating that if hired, his daughter would be an employee of Wright-Pierce Engineering, not the BRWD. The board had no objection.
2. The minutes of the 11 March 2014 trustees meetings were approved with revisions.  
*Trustee Climo motioned, Trustee Gamage second, vote unanimous*
3. The **Payroll** for weeks ending 11 March 2014 & 18 March 2014, were approved.  
*Trustee Gamage motioned, Trustee Climo second, vote: unanimous*
4. The **Transactions** for the period of 10 March 2014 through 21 March 2014 were approved.  
*Trustee Gamage motioned, Trustee Climo second, vote: unanimous*
5. **FINANCIAL REVIEW** – The manager provided the board the February 2014 *Profit & Loss Budget Performance Statement*. As of 28 February 2014 for the month the district's total revenue was \$258,102.14 with total expenses equaling \$179,925.65 of which \$41,666.66 was depreciation leaving a net profit on cash accounts of \$119,843.15. For the year the district had taken in \$319,590.11 and expended \$401,621.51 of which 83,333.32 was depreciation expense leaving a year-to-date cash profit of \$1,301.92.

The manager provided the board documentation from the Maine Bond Bank approving the bonding of \$5,542,198.69 for 29 years, refinancing all but two Rural Development (RD) bonds. The manager informed the board that this effort was on-track hitting all compliance dates.

The two State Revolving Fund (SRF) loans were reported to be in process with all of the closing date's in-line. The manager presented to the board the written approval by the state for the district's capacity review conducted earlier in the month as previously reported.

The RD application was in process with the manager reporting he would be speaking to Mr. Mike Jenkins the following day to verify the plan of action and milestones.

6. **SAFETY, TRAINING & EMERGENCY RESPONSE UPDATE** – No accidents, violations or missed inspections were noted within the previous period.

7. **WATERSHED** – The manager presented the board with a letter from the district to the Boothbay Planning Board sent by direction. The manager explained that he and Ms. Mello had attended the 19 March 2014 planning board meeting to discuss the YMCA’s activities at Camp Knickerbocker. The manager informed the board that the meeting became contentious. After lengthy debate the planning board ordered the YMCA to present its forestry management plan to them for approval, replant the clear cut and install erosion control. The manager went on to explain that since then he had met with Boothbay officials, Ms. Mello and Mr. Andy Hamblet, executive director, Boothbay Region YMCA. The manager explained that there existed an opportunity for the district to work with the YMCA creating performance based standards, allowing the YMCA to improve Camp Knickerbocker and create a model for the upcoming watershed ordinances. The board informed the manager to keep them informed of this effort.

**TREATMENT PLANT** – The manager reported that the finish water flow was averaging 0.2631MGD as compared to 0.3083 MGD last year. The manager explained that the flow differential was not due to increased efficiency moreover it was because the district was very much behind on seasonal start-up. The manager anticipated a large upswing in flows when the weather breaks and the seasonal system could be flooded.

The turbidity of the raw water was dropping as was the pH requiring less alum but requiring more caustic per unit produced. However, with improving raw water quality from a turbidity perspective the filters were back to 100% efficiency with the clarifiers at 97% efficiency on a time basis.

The manager stated that “ice-out” for 2013 was March 20, 2013 and as of the meeting, there was in excess of 24-inches of ice on Adams Pond.

The manager reported that after working on several of the sensors of the weather station it has now hit the tipping point in that it will be cheaper to replace all the field telemetry. The order had been made. Corrosion control was reported centered in the Bicarb Room and both raw water pumps and appurtenances. Due to wear and the possibility of back-syphoning issues the sodium hydroxide day-tank was re-plumbed by staff in accordance to OSHA regulations.

The manager then reported the fluoride analyzer’s peristaltic pump had failed. Because of the potential toxicity of fluoride, fluoride levels in the water are monitored continuously. The manager explained that without the security of continuous monitoring, he did not feel that safe operations could be maintained for district customers in the unlikely event of a dosing over-speed and ordered the system shutdown. Once repairs were made the system was safely reengaged resulting in only a 48-hour shutdown. The district was not in violation of state law in that the criteria for a violation is a shut down for greater than or equal to 14-days.

The manager reported that the first round of disinfection bi-product sampling was completed with no results as of the time of the meeting reported.

The bushes adjacent to the raw water pump station were trimmed in accordance with Town of Boothbay code and state law.

Lastly assistant foreman Trevor Morin completed his tour of duty in treatment and was back in distribution.

8. **DISTRIBUTION** – The manager reported that he had taken no action on procuring the new truck. The manager then asked trustee Gamage for his assistance in purchasing the truck. The

manager then presented the board with a letter to the editor explaining the problems encountered with seasonal startup due to the abnormal cold. The manager stated that the district was behind with only some work on seasonal mains and services completed.

**SOUTHPORT INTERCONNECTION AND TANK REPLACEMENT PROJECT** - the manager presented the board a copy of an e-mail from Mr. Jim Lord concerning permitting. It was decided that the district was going to apply for a Permit by Rule and full Army Corp Permit for the Townsend Gut crossing. Work was underway for three required easements for the project for which the manager provided the board with the surveyed drawings. The manager stated that he was meeting with Griffin Law Offices on 26 March 2014 to address these required easements.

9. **CAMPBELL STREET/HIGHLAND PARK LOOPING PROJECT** – The manager stated that Wright-Pierce had delivered the 75% drawings and contractor requirements, both of which required small amendments by both the district and the town and returned. The 95% drawings were to be completed within the week, which would then be sent to the state for final review and blessing. The manager reported that he had met earlier that day with Wright-Pierce and the following was the *tentative* schedule: 14 April 2014 advertise for contractor services, 1 May 2014 open bid and award, 15 May 2014 begin Campbell Street construction, 26 June 2014 complete Campbell Street construction with the Highland Park project to commence afterward.
10. **MWUA/MRWA BOD** – The manager provided the board with his testimony on LD-1809 *An Act Concerning Meetings of Public Bodies Using Communications Technology*. The manager explained that LD-1809 would hamper remote participation of trustees to meetings. Apparently at some point the Attorney General had determined that an elected board member cannot serve on a board remotely even though the MWUA attorneys as well as Bernstein, Shur, Sawyer & Nelson cannot find where the practice is prohibited by law. The manager informed the board that there was much opposition to the bill.

Trustee Gamage motioned to instruct the manager to present a draft amendment to the district by-laws allowing unfettered remote participation for district board of trustees which was seconded by Trustee Climo. The manager did due diligence informing the board that this action may be contrary to state law should LD-1809 be enacted to which Trustee Climo replied “BRING IT ON!” In addition to preparing a draft by-law change the manager was instructed to keep the board informed as to the status of the bill and to take any prudent action with regard to the press and elected officials to make the district’s views and concerns known.

*Trustee Gamage motioned, Trustee Climo second, vote: unanimous*

11. **FIVE RIVERS** – The manager had nothing new to report.
12. **GIS** – The remaining data gathering to build the base maps and remaining databases would be completed by Wright-Pierce.
13. **MT PISGAH STANDPIPE PAINTING PROJECT** –Nothing new to report
14. **METER DOWNSIZE REQUEST** – The board approved a request to downsize a meter at the residence of Robert Walter, 42 Eastern Avenue, Boothbay Harbor from 3/4” to 5/8” upon the recommendation of the manager. The board approved the request.  
*Trustee Gamage motioned, Trustee Climo second, vote: unanimous*

15. The board voted to go into Executive Session pursuant to 1 M.R.S.A. §405(6) C & D. 1955hr.  
*Trustee Climo motioned, Trustee Reed second, vote: unanimous*
16. The board came out of executive session at 1958hr.  
*Trustee Climo motioned, Trustee Reed second, vote: unanimous*
17. Trustee Carter announced that after 9-years he was not seeking re-election to the board of trustees
18. The meeting was adjourned at 2000 hr.  
*Trustee Climo motioned, Trustee Reed second, vote: unanimous*

END OF MINUTES

Respectfully Submitted,

Jonathan E. Ziegler  
Manager

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