

23 April 2019

MEMORANDUM

From: Manager
To: Board of Trustees

Subj: **MINUTES FOR THE TRUSTEE MEETING 9 APRIL 2019**

The Board of Trustees convened at 1900 hrs. **In attendance:** Trustee Pinkham, Boothbay Harbor (Chairman); Trustee Gamage, Southport (Vice-Chairman); Trustee Lewis, Boothbay (Treasurer); Trustee Climo, Southport (Clerk); Trustee Tibbetts, Boothbay Harbor; Jonathan Ziegra, Manager. **Guest:** Mr. Dan Bryer, Town Manager, Town of Boothbay; Mr. Ron Campbell, Owner, Campbell Construction. **Absent:** Trustee Anthony, Boothbay; Trustee Tharpe, At-Large.

1. The board approved the minutes for 26 March 2019 with revisions.
Trustee Gamage motioned, Trustee Climo second, vote unanimous
2. The **Payroll** for weeks ending 26 March 2019 & 2 April 2019.
Trustee Gamage motioned, Trustee Climo second, vote unanimous
3. The **Transactions** for the period of 25 March 2019 through 5 April 2019.
Trustee Gamage motioned, Trustee Climo second, vote unanimous
4. **ADMINISTRATION-** The manager presented the board Table 1 - *Boothbay Region Water District Cash Account Status Report as of 9 April 2019*. Payment to *The First* totaling \$100,000.00 was completed 27 March 2019. The manager stated that he would pay off the remaining \$200,000 plus interest as soon as there is \$350,000.00 in the SWEEP account which should be sometime within the next week or two.

Table 1 BOOTHBAY REGION WATER DISTRICT Cash Account Status Report as of 9 April 2019	
Account	Balance
Business Checking	\$ 27,891.99
Deposit Sweep Account	\$ 264,174.10
Liquidity Total	\$ 292,066.09
DESIGNATED FUNDS	
BBH 2007 Sinking Fund	\$ 32.11
Land Acquisition Fund	\$ 14.68
Capital Reinvestment Fund	\$ 1.17
Mt Dora Easement Escrow	\$ 4,768.50
EBB Upgrade 91-20	\$ 2,413.96
Bank of Maine Unemployment CD	\$ 10,431.66
Designated Fund Total	\$ 17,662.08
TOTAL CASH RESERVES	\$ 309,728.17

5. The board went into Executive Session pursuant to 1 M.R.S.A. §405(6)(C), *Acquisition of Real Property or Economic Development* at 1902 hr.
Trustee Climo motioned, Trustee Anthony second, vote unanimous
6. The board came out of executive session at 1935 hr.
Trustee Climo motioned, Trustee Gamage second, vote unanimous
7. The manager was instructed by the board to assist the town manager of Boothbay and Campbell Construction to the greatest extent possible within the framework of Maine Public Utility Commission (PUC) rules and regulations in the attempt to create affordable housing on the Boothbay peninsula.
Trustee Gamage motioned, Trustee Tibbetts second, vote unanimous
8. **NATURAL RESOURCES PROGRAM** – The following was presented, in writing, to the board by the NRPM:
 - 1) *Timber Harvest - The Town and Water District are seeking a way to have specific town timber harvest regulations for the AP and KL watersheds and allow the rest of the Town shoreland to be Option 1 or 2 (administration and oversight by FS). However, up to now, we have heard from the Forest Service this is not possible. After months of dead ends, we seem to have found a path to cake-and-eat-it-too success with this contentious issue. JZ consulted with DEP and found that KKW was already on the path to creating a special watershed timber district with the help of Morse Environmental. Tonight, we will ask the PB whether they want us to pursue a similar approach.*
9. **SAFETY & TRAINING UPDATE** – The manager reported that there had been no safety violations or known missed inspections during the previous period.

a. **Human Resources (HR)** – Nothing new to report.

b. **Training Update** – The manager reported that he had attended the New England Water Works Association Spring Conference and Trade Show on 3 & 4 April 2019 at the DCU Center in Worcester, MA. The manager stated “the show was awesome and I received 8 training credit hours (TCH). The manager then relayed an observation he made in that it had been several years since he had attended this show. During that time, the baby-boomers had begun the retirement phase of life with many young replacements faces in the crowd.

The manager went on to relay that what struck him was that in the past this show tended to be a “white-guy” convention. The manager reported that the room was a lot more colorful and diverse this year. Secondly, twenty-five years ago if you saw a woman at this show you would go to the default of “*she must be someone’s wife*”. Not so anymore, probably half of the millennial replacements were women.

The manager stated that he was encouraged to see the changes in the make-up of the water industry and thought it was a great change for the future; and it was fun to watch.

10. **TREATMENT DIVISION (TD)** — The manager reported filter train efficiency since the previous report had remained unchanged with filter operations at 97% efficiency and clarifier performance at 100% efficiency. Adams Pond “ice-out” occurred on 31 March 2019. Since then raw water quality has greatly improved with key chemical additions falling; sodium hydroxide 96% of normal and aluminum sulfate 101% of normal.

With bleeders being shut down early this year, 2 April 2019, finish water production for the previous period fell below that recorded in 2018 with an average daily production decreasing to 0.2703 MGD as compared to 2018 production for the same period of time equaling 0.3087 MGD.

Relief operator training has been suspended until next winter due to the tourist season starting up.

- a. **Overhaul Vertical Turbine Raw Water Pump 1 (RWP1) & Finish Water Pump #2 (FWP2)** – *Weston and Sampson* on 29 March 2019 provided the district with reports on the above-mentioned pumps (see attached). The manager informed the board that he authorized work for the following: RWP#2 -\$15,192.50 & FWP#1 \$10,720.50 on 2 April 2019.

11. **DISTRIBUTION DIVISION (DD)** – The manager reported the DD **was** continuing work on job orders, meter replacement, continued recovery from the micro-burst and is now gearing up for the 2019 Seasonal Water Start-Up.

During the previous period the DD responded to 8 DigSafe requests.

- a. **New Building Status Report** – No change in status.
- b. **New Replacement Vehicle** - No change in status
- c. **Seasonal Start-up Update** – On 1 April the seasonal start-up matrix was posted on the district website along with a detailed description of work to be started and accomplished and was receiving approximately 250 hits per day. The manager then relayed that the phone was beginning to ring off-the-hook anyway indicating to him that a good summer tourist season was on the way.

The Samoset Water Line was in-process for the pressure reducing valve (PRV) and the upcoming bridge project marking the end of modifications needed. *Fuller Marine* was scheduled to patch the Barters Island channel crossing later that week in preparation of flooding the Barters Island seasonal water system. The DD were now in weather watch mode with the most recent snow and freezing temperatures very unwelcome. The tentative schedule through the next trustee meeting was reported as follows:

1. Complete seasonal repairs by 11 April 2019 (including the Barters Island crossing);
2. Fire up both treatment units;
3. Begin limited flooding and flushing and disinfection on 12 April 2019 and continue with the whole system until approximately 17 April 2019;

4. Sample the seasonal water system for the absence of pathogens on 17 or 18 April 2019 in an effort to ascertain results by 19 April 2019;
5. Begin meter installation on 22 April 2019 with the target of 26 April 2019 for completion.

12. **5 RIVERS REGIONAL WATER COUNCIL** – The manager reported that he had been assigned no further legislative bills to shepherd through the various other legislative committees. However, with an eye towards future consolidation or unification of districts, he had been tasked to begin the process of preparing a unified “Policies and Procedures” with an eye towards aligning all of the member utilities with the same rules as far as construction and maintenance (i.e. color - coding hydrants) of the distribution systems.

13. **LAND ACQUISITION UPDATE** – The following is a written report by the NRPM:

We know that land conservation is critical to water supply protection. There are important undeveloped watershed parcels available for purchase now and more that should be sought. There are also properties that are developed and are pollution sources that could be returned to a natural state. All of this takes money and the larger issue of how to fund land acquisition still needs to be resolved. I am seeking the Board’s permission to ask our attorneys for guidance on how we might set up a land conservation fund that would not conflict with other parts of the operation and would allow donors tax benefits.

Undeveloped parcels for Board’s consideration tonight are shown on the attached map; BRWD land is outlined in red. We are looking for a Board recommendation for each.

Undeveloped Parcels

- *Pat Farrin’s 22 acre parcel with Knickerbocker pipeline (R4-169D). I have spoken with Pat and Kip about the Trustees’ offer to purchase just the pipeline portion of this lot. The Farrins are not interested in dividing the parcel and made two counter offers: R4-169D for \$100,000 plus 3.5 acres of BRWD land adjacent to his commercial site or R4-169D at fair market value determined in last appraisal of \$134,640.*
- *Rebecca Clifford 34-acre property (R4-173). Appraisal by Stan Paton in 2017 set a value of \$40,000. This value was deemed too low by Clifford and he suggested something in the \$100,000 range was more accurate. The town assessor’s latest valuation is \$61,200. The deeded ROW to the parcel is constrained by wetlands but access via other properties could be purchased (Farrin and Pinkham). When I spoke with Clifford, two weeks ago, he said they are still interested in selling to District for conservation and asked District to make them an offer.*
- *Linda Sherman, 5-acre property (R7-12C). This steep parcel bordering the south side of Adams Pond was almost completely deforested by last September’s microburst. Sherman is interested in selling the property to the District for conservation. Stan Paton’s appraisal this week values it at \$35,000. The Town assessor’s valuation is \$38,332. Appraisal was mailed to Linda yesterday and I have had no conversation with her since.*

Possible teardowns also worth considering

- *Jon Van Orsdell’s 0.8 acre shorefront property on Knickerbocker Lake is going to auction on April 29 (see attached notice). The Town has valued the property at \$272,169. Old house, old septic right on the shoreline.*

- *Ernie Morton's 0.8 acre property on Back River Road within 500' of lake has been a consistent source of runoff. Trailer, plus garage, plus lots of autos in various stages of repair. Asking price \$124,000 Town value \$119,204. Been on and off market for last year or so.*



**LEGAL ADVERTISING
NOTICE OF PUBLIC SALE**

Notice is hereby given that in accordance with the Stipulated Judgment of Reformation of Mortgage and of Foreclosure and Sale entered February 28, 2019 in the action entitled Bank of America, N.A v. Alys W. Van Orsdell, by the Maine District Court, Division of Wiscasset, Docket No. WISDC-RE-18-18, wherein the Court adjudged the foreclosure of a mortgage granted by John C. Van Orsdell and Alys W. Van Orsdell, mortgagors, to Countrywide Bank, FSB dated October 24, 2007 and recorded in the Lincoln County Registry of Deeds in Book 3932, Page 58, should the period of redemption have expired without redemption of the property by the mortgagor(s), a public sale of the property described in the mortgage will be conducted on

April 29, 2019 commencing at 11:00AM at the Office of Brock & Scott, PLLC, 190 U.S. Route One, 2nd Floor-Rear, Falmouth, ME 04105.

The property is located at 248 Back River Road, Boothbay, ME 04537, in Lincoln County, reference as described in said mortgage.

The sale will be by public auction. All bidders for the property will be required to make a deposit of \$5,000.00 in cash, certified or bank check at the time of the public sale made payable to Brock & Scott, PLLC, which deposit is non-refundable as to the highest bidder. The balance of the purchase price shall be paid within thirty (30) days of the public sale. In the event a representative of Bank of America, N.A is not present at the time and place stated in this notice, no sale shall be deemed to have occurred and all rights to reschedule a subsequent sale are reserved.

14. **ISLE OF SPRINGS (IOS)** – In-process, nothing new to report.
15. **ALTERNATIVE ELECTRIC POWER OPTIONS** – Nothing new to report
16. **MASSACHUSETTS ROAD WATER MAIN REPLACEMENT PROJECT** – Nothing new to report
17. **LOGAN ROAD WATER MAIN REPLACEMENT PROJECT** – As a reminder the quotes will be due on 23 April 2019 for opening by the board.
18. **AFFORDABLE HOUSING PROJECT** – Nothing new to report
19. **BARTERS ISLAND WATER MAIN RELOCATION PROJECT** – The manager reported that Fuller Marine would be diving this water main to make temporary repairs in preparation of flooding the seasonal system within the next two weeks. This was to be the first phase of the upgrade project for this crossing.

20. **SQUIRREL ISLAND WATER MAIN** - Nothing new to report
21. **INQUIRY FROM CUSTOMER NANTZ** - On 29 March 2019 the manager reported that he had received an e-mail from Ms. Rebecca Nantz, 41 Summit Road, Boothbay Harbor concerning the radiation from the AT&T transmitters on the Pinkham Standpipe. Since then he had been in contact with Mr. Dave Libby, Cell Tower Administrator; and Mr. Bill Harwood J.D., *Verrill & Dana* on as to how to proceed. Mr. Libby was in the process of obtaining the AT&T signal/radiation survey data taken after install to provide Ms. Nantz and Mr. Harwood had drafted a letter for the district to send to AT&T to, by lease agreement, to address this issue directly with Ms. Nantz. The manager informed the board that he had sent one e-mail in response to this inquiry to Ms. Nantz stating he was researching the issue and would report back once he had the facts.
22. The meeting was adjourned at 2012 hr.
Trustee Climo motioned, Trustee Anthony second, vote: unanimous

END OF MINUTES

Respectfully Submitted,

Jonathan E. Ziegra
General Manager