

23 April 2024

MEMORANDUM

From: Manager
To: Board of Trustees

Subj: MINUTES FOR THE TRUSTEE MEETING OF 9 APRIL 2023

The Board of Trustees convened at 1900 hrs. In attendance: Trustee Gamage, Southport (Chairman); Trustee Climo, Southport (Vice-Chairman); Trustee Tharpe, At-Large (Treasurer); Trustee Anthony, Boothbay (Clerk); Trustee Blakeslee, Boothbay Harbor; Marcia Wilson, Administrative Manager (AM); Jonathan Ziegler, Manager. Guests: Mr. Steve Cox, Rayburn & Associates. Absent: Trustee Stover, Boothbay; Trustee Tibbetts, Boothbay Harbor.

1. The board observed a minute of silence in memory of long-time trustee, Ken Marston who passed away at his home in Florida.
2. The board approved the minutes of 12 March 2024.
Trustee Climo motioned, Trustee Tharpe second, Yea: unanimous.
3. The board approved payroll for 12 March 2024, 19 March 2024, 26 March 2024 & 2 April 2024.
Trustee Climo motioned, Trustee Tharpe second, vote: Yea unanimous.
4. The board approved transactions for 11 March 2024 through 22 March 2024 and 25 March 2024 through 5 April 2024.
Trustee Climo motioned, Trustee Tharpe second, vote: Yea unanimous.
5. **ADMINISTRATION**– The manager provided the board Table 1 – *Boothbay Region Water District Cash Account Status Report as of 9 April 2024*, and reported billing for routes 3,4, and 13 are currently being read with the value of that billing to be reported on 23 April 2024. The manager included billing for routes 1 & 2 that were released on 1 April 2024 with a value of \$75,723.00. In addition, billing for the 2024 summer season, was released on 1 April 2024 and had a value of \$799,331.85. During the previous period the district received one (1) new service applications but added (1) new annual account and five (5) new seasonal accounts to the system.
 - a. **BRWD Budget Performance Report as of 29 February 2024** – The AM reported on the budget performance through February which showed no anomalies.
 - b. **General Manager Search** – Chairman Gamage and/or the AM reported on the status of the search committee meeting of 25 March 2024. The board reviewed, in detail a draft General Manager (GM) job description and made several edits. The board also reviewed the existing contract for the current GM and asked the GM to provide the board with a new draft contract for their consideration.

- c. **Route 27 Rehabilitation Update** – The manager reported that he was still very happy with the conduct of the Maine Department of Transportation (DOT). He went on to report that morning he signed two temporary construction easements for new plunge pools that would be installed on water district property in support of the Rt. 27 rehabilitation efforts and that the district would receive \$2,000.00 for those easements. Ongoing coordination and communication remained excellent.

Table 1 BOOTHBAY REGION WATER DISTRICT Cash Account Status Report as of 9 April 2024	
Account	Balance
Business Checking	\$ 29,037.09
Deposit Sweep Account	\$ 250,675.24
Liquidity Total	\$ 279,712.33
DESIGNATED FUNDS	
BBH 2007 Sinking Fund	\$ 20,351.06
Land Acquisition Fund	\$ 2,517.46
Capital Reinvestment Fund	\$ 483,280.38
Mt Dora Easement Escrow	\$ 4,791.24
Southport Sinking Fund	\$ 74,671.81
EBB Upgrade 91-20	\$ 62,324.97
Bank of Maine Unemployment CD	\$ 17,383.14
Designated Fund Total	\$ 665,320.06
TOTAL CASH RESERVES	\$ 945,032.39

- d. **New Billing Software Update** - Steve Cox of *Rayburn and Associates* provided the board with an update on the status of software conversion and a new timeline for full conversion. Mr. Cox described the hurdles put up, slowing the conversion down due to problems obtaining district records from the current vendor. Those problems now seemed to be corrected and Mr. Cox provided the board with a 1 June 2024 “go live” date.
6. **NATURAL RESOURCES** - The manager reported that the Natural Resources Program Manager (NRPM) prepared the following report:

319 grant: Steering committee (Boothbay PW, Dirigo, WD, KLSCWD & CMBG) will meet on site May 28 with DEP to review plans. Easements need to be worked out with Harris Law. Press release in the next few weeks.

Bigelow partnership: We meet with Bigelow today to define this year’s lake sampling.

CDWI/BRLT lands acquisition specialist: Nick Ullo and I interviewed 5 applicants last week. Our first choice among the candidates has accepted the position and is expected to start in the next few weeks. She currently lives in Topsham.

Lake water quality sampling. Weston Alley and Aaron Durgan have provided support to NRPM over the last few years with lake/stream sampling. We plan to have them both certified by Lake Stewards of Maine this year so we have program continuity.

BRCDWI: We helped prepare the annual report to Lincoln County for ARPA funds (attached) which was submitted in late March. The next installment of \$65K in ARPA funds is expected soon and will help fund the new land conservation specialist. BRCDWI has several education/outreach events planned for 2024.

The manager reported that on 2 April 2024 he met with the Boothbay Harbor Sewer District Board of Trustees to see if they would allow the new owner of the “Toots” Adams property to abandon their failing septic system and tie into the water districts sewer discharge pipe and become a customer of the sewer district. The manager had assured the sewer district board that the water district was fully in support of this action and believed getting septic systems out of the watersheds was of the utmost importance. The manager concluded his report by stating it was a productive meeting with the BHSD approving the addition of customers on the districts discharge line.

7. **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)**– The manager restated that former 12-year trustee, Ken Marston passed away on 30 March 2024 in Florida. The district’s thoughts and prayers were with his wife Misty and his extended family. The flag were set at half-staff through 9 April 2024.

The manager reported that new utilities technician Hunter Haley unexpectedly submitted his resignation effective 8 April 2024. This was too bad in that he was excelling, but decided the district was not the place for him. The AM conducted an exit interview and shared her findings with the board.

Recruiting for the now vacant UT position was about to start later that week. Negotiations with the district’s first choice for the NRPM position were reported to be positive and would be completed within the upcoming week.

MRWA intern Dalton Pushard had returned to the district, now fully recovered from an accident during the summer of 2023. The manager stated that Dalton was an excellent technician in training and the district could use his help.

- b. **Training Update** – In the previous period Greg Kidd of New England Water and Wastewater Training Associates (NEWWTA) completed initial and refresher safety training in a two-day program completed 3 April 2024. The district was now current regarding safety training.
8. **TREATMENT DIVISION (TD)** –The manager reported raw water quality was beginning to improve. Filter train efficiency for filter performance had improved, coming in at 92%, with clarifier performance remaining at 100%. For the previous period, finish water production averaged 0.2987 MGD, exceeding that of the same period in 2023 which averaged 0.2597 MGD. Key chemical additions remained normal. Normal winter maintenance continued.

The manager reported that the fire detectors in the treatment plant were inspected and found not to be working within acceptable parameters. The replacement of these detectors had been initiated and were believed to be changed out within the next few weeks.

Boothbay Region Ambulance Service (BRAS) Request - BRAS requested the installation of a tower, and associated equipment within the fenced area of the Kenniston Hill Standpipe, providing the board with detailed drawings and reports. After reviewing the provided materials, and positive management recommendations the board allowed the installation of the new tower and operation of the new repeater. Chairman Gamage stated he would handle all notifications to BRAS.

9. **DISTRIBUTION DIVISION (DD)** – The manager reported the DD continued to deal with disaster recovery, normal job orders, continuous improvement to the year-round water system and regulatory compliance activities.
 - a. **Disaster Recovery** –The manager reported that the damage incurred to the seasonal distribution system from winter storms had been completed successfully. In addition, our diving contractor inspected the Squirrel Island water main and to my surprise found it intact. We know there is a leak but that can be addressed when we charge the line next month.
 - b. **Seasonal Startup Status Report** – This was progressing ahead of normal due to the mild winter. The district was now back on track with only minor damage needing to be addressed.
 - c. **Adams Pond Sampling Boat** - This boat was in the process of having a sampling well installed and a hard boom towing bracket fabricated and installed.
 - d. **Hard Boom Delivery** – The manager concluded his report by stating the district was waiting for 1,000 feet of hard boom that was in transit to the district. The manager stated that he would have to coordinate with the LEPC to organize an exercise this spring/summer on Adams Pond. The manager reported that this procurement was timely considering the Pond had had two near miss incidents with vehicles off the road along Adams Pond, already this year.
10. **5 RIVERS REGIONAL WATER COUNCIL** – No change in status.
11. **LAND ACQUISITION UPDATE** –The manager reported that he had received notification that a landowner was considering selling a parcel of land that was listed as a priority property in the Knickerbocker Lake watershed. This news was of interest to the district. The manager reported that he had passed this information to Clean Drinking Water Initiative (CDWI) and the NRPM who were actively seeking funding to purchase this land.
12. **CAMERON POINT SEASONAL WATER MAINS** – The manager informed the board that, at long last, all the required easements were in place. This project would now be included in the years’ work plan. Currently, due to forces out of the water district’s control, the status of pending projects may change opening a construction window for this project prior to seasonal shut down. The manager informed the board that he would keep them posted.

13. **OCEAN POINT WATER MAIN LOOPING PROJECT** – The manager reported that this project restarted on 8 April 2024. Currently the contractor is completing long-side services on Montgomery Road, installing underground drainage at the intersection of Back Narrows Road and Ocean Point Road and then on to complete pipe installation on Ocean Point Road.
14. **FILTER WASTE RECYCLING PROJECT** – On 22 March 2024 the manager met with *Dirigo Engineering* to review the final plan for the project. A copy of the plan was provided to the board. The plan had been reported to be approved by TD. The manager stated it was his intention to sign a contract with *Dirigo Engineering* to begin the next steps to have this project fully permitted and out for bid by the year end with construction in 2025. The board concurred with the managers' approach to the project.
15. **SOLAR POWER** –No change in status
16. **2022 REVISIONS OF THE LEAD AND COPPER RULE** – the manager reported that work continued filling in the United States Environmental Protection Agency (EPA) matrix. Through meetings with the DD a design for the final push has been formulated. The manager reported that there existed approximately 500 services yet to be uncovered. The DD would begin with services that would most likely be constructed of poor materials, those attached to the 100-year-old water main in Boothbay Harbor. Progress was ongoing.
17. **SIVC WATER MAIN REPLACEMENT PROJECT** – The manager reported that on 20 March 2024 he met Bryan Carroll, the new Squirrel Island Superintendent who the manager described, was an “awesome person”, who he believed the district would work well with. The manager reported that he provided him a detailed history lesson of the relationship between the district and the SIVC including the good, the bad, and the extremely ugly. The manager informed the board that he had enlightened him as to the district’s intentions of moving forward from Southport for the next generation of water main from the Capital Island Road location.

The manager informed the board that he had instructed *Dirigo Engineering* to begin investigation of the new proposed location of the water main as being the best location for the district to serve SIVC, obtain the submerged land lease from the Department of Conservation, get all the necessary permits from the from the Federal governments vegetable soup, determine quantities and design the weight packages so that they may be fabricated off-site over the winter of 2024/2025.

18. **COASTAL MAINE BOTANICAL GARDENS (CMBG) AND YMCA INFRASTRUCTURE REQUEST** – The manager reported that he had promised letters of support for the various grants both the YMCA and CMBG are applying for.
19. **AFFORDABLE HOUSING PROJECTS** –
 - a. **Boothbay Harbor** – This process was not progressing smoothly. The manager informed the board that he was receiving many requests by the developers to assist with their permitting woes with the town of Boothbay Harbor, of which he was not getting involved with.

- b. **Boothbay** - The 12” valve package to supply this development was successfully installed on 15 March 2024. Since then, the contractor has been dealing with ledge for the water run. We expect to begin laying water main by weeks end.

- 20. **JOPPA ROAD WATER MAIN UPGRADE PROJECT** – On 4 March 2024, during the annual Southport Town Meeting, the towns people of Southport enacted an extremely restrictive blasting ordinance. On 5 March 2024 the BRWD’s excavation contractor, *E. M. Wood Construction* contacted me, informing me that due to this new blasting ordinance blasting contractors were unwilling to do business in Southport for large blasting jobs due to the unacceptable liability and violation of confidentiality rules with customers. Therefore, *E.M. Wood Construction* regrettably had to pull out of this project, as well as the project described in 17. - **SIVC WATER MAIN REPLACEMENT PROJECT**.

The manager continued by explaining the new ordinance had driven the estimated cost of ledge removal through the roof. Statewide, the cost of ledge removal for a utility project was around \$250 per cubic yard. Estimates provided to the district show, in Southport, the cost for ledge removal was now estimated to be \$300 to \$400 per cubic yard.

On 13 March 2024 the manager met with the code enforcement officer (CEO) of Southport. The CEP informed the manager that the ordinances did not have an “exemption for critical utilities such as sewer and water” like many municipalities statewide, and suggested the manager meet with the planning board to discuss the situation.

On 3 April 2024 the manager met with the Southport Planning Board to discuss a letter, dated 27 March 2024, describing the situation above to the planning board. The manager reported that the discussion with the planning board was cordial and professional. The manager reported that he had explained the district’s position and asked for guidance to find a “work around” for this ordinance based on the district’s desire to expand public water and fire protection to meet its mission of public safety and health.

The planning board informed the manager that they had no authority to remove any requirements of the ordinance for the district and instructed the manager to meet with the Board of Selectmen who were the only entity that could introduce a modification to the code allowing for an exemption for critical utilities, in a special town meeting.

That evening, the manager informed the Chairman of the Board of Selectmen that the district was very interested in having an ordinance be introduced in a special town meeting creating an exemption for the installation of critical infrastructure. The manager informed the board that he would appear before the selectmen for a formal request at a mutually agreed upon date in the future to make that request officially.

The manager concluded his report by informing the board that the *Joppa Road Water Main Replacement Project* and the *Capital Island Road Water Main Replacement Project* were now on-hold, most likely not to be completed in 2024, and depending on funding agency (yet to be determined) rules the West Side project may be in in doubt as well.

- 21. The meeting was adjourned at 2107 hr.
Trustee Climo motioned, Trustee Anthony second, vote: Yea unanimous.

END OF MINUTES