

26 February 2008

MEMORANDUM

From: Manager
To: Board of Trustees

Subj: **MANAGER REPORT AND MINUTES FOR THE TRUSTEE MEETING 12 FEBRUARY 2008**

The Board of Trustees convened at 1400 hrs. In attendance Trustee Pinkham (Chair), Trustee MacPhee, (Vice Chair), Trustee Curtis (Treasurer), Jon Ziegra, Manager, Guest: Ms. Vi Lee and anonymous friend, Boothbay, Mr. Jerry Gamage, Selectmen, Town of Southport. Absent: Trustee Carter (Clerk), Trustee Marston, Bob Raudenbush, Administrative Manager (AM).

1. The minutes of the 22 January 2008 trustees meeting were approved.
Trustee MacPhee motioned, Trustee Curtis second, vote: unanimous
2. Warrants 6, 7, 8 & 9 were approved.
Trustee MacPhee motioned, Trustee Curtis second, vote: unanimous
3. Trustee Pinkham recognized Ms. Vi Lee's representative who alleged the improvements made in 2004 as part of the East Boothbay Interconnection project caused damage to her property. Ms. Lee's representative showed pictures of problems that he alleged was a direct result of the project. The manager informed the trustees that in 2006 this matter had been referred to Maine Municipal for resolution and the district was found to be not responsible. Upon the new allegations and information the board instructed the manager to resolve the current problems.
Trustee Curtis motioned, Trustee MacPhee second, vote: unanimous
4. Mr. Jerry Gamage addressed the board on the behalf of the town of Southport concerning the district's letter outlining the reopening of the current service agreement between the Boothbay Region Water District and the Town of Southport. Mr. Gamage wanted to know why the district had not come to him "without lawyers" to discuss this matter. The manager replied it was a legal agreement and the district was thorough when addressing any legally binding agreements, but went on to relay to Mr. Gamage it by no means this action was intended to offend anyone. The manager then outlined the districts reasoning for reexamining the agreement. The manager explained that there appeared to be an inequity in fire protection costs, in that the town of Southport did not pay any to the district. The manager went on to share the district's opinion that if the district did not explore Southport paying their fair share then it would be a disservice to the towns of Boothbay and Boothbay Harbor. The trustees agreed to hold a workshop with the Southport board of selectmen over the summer to see if there was common ground. The board forgave a late fee of just over \$500 assessed to the town of Southport because their most recent quarterly bill was late. The balance was credited to the next quarterly bill.
Trustee MacPhee motioned, Trustee Pinkham second, vote: unanimous

5. The manager told the board of an incident that occurred 6 February 2008 which involved a contractor being inadvertently locked into the treatment plant and the security system armed. The positive of the report was the security service acted appropriately and law enforcement responded as required in a timely manner. The negative was described as poor site control and communication by district personnel. The manager said the district took this incident seriously and corrective measures to prevent a reoccurrence of this incident had been initiated.
6. The manager provided the board with an update on the ongoing treatment plant winter maintenance;
 - A. Laboratory Upgrade and IDEXX – The manager reported the design for enclosing the laboratory was still in-process being completed at no-cost to the district. The manager also informed the board that he was exploring the possibility of limited certification for coliform and fluoride testing. Trustee Curtis raised some concerns over the “red tape” required for lab certification. The manager responded the state now allows very narrow certifications for only a few parameters and the district would evaluate and report back on the requirements.
 - B. Treatment Plant Maintenance - The manager reported Filter #2 had been brought down for maintenance and was now back on-line. He went on to describe the discovery of much hidden corrosion underneath the top layers of paint was found which required much grinding and welding to correct. The manager reported Raw Water Valve #1 had been replaced and as it was put back into operation a few glitches were noted and learned from. He went on to describe an unintended benefit of this program, once the valve went on-line; operators had to slow the raw water pumps by 4%. The manager was keen to cross check the electric bills and see what type of electrical savings will be realized. Raw Water Valve #2 valve will be coming in for installation next week. Lastly the manager reported the fluoride line is being replaced because the old line was choked.
7. The manger reported the distribution division remained very shorthanded. The crew has been concentrating on tie drawings and preparing Adam Macy prepared for his class II test in March. The manager reported the district had taken delivery of new leak detection equipment and will be deploying it as the weather improves. It was reported the Maine Rural Water Association will be providing training free of charge.
8. The manager reported he had received a citizen complaint concerning automobiles on Knickerbocker Lake accessing the lake via the town landing. This was inconsistent with town policy. The perpetrators were accessing after moving barriers provided by the town. The manager reported the town was taking proactive steps to eliminate this practice. The manager was instructed to prepare a letter for trustee Pinkham’s signature to be sent to the Maine Department of Inland Fisheries and Wildlife raising concern over this practice.
9. The manager reported the bid package for replacement vehicles had been sent out. Two Ford, Chrysler and General Motor dealerships were invited to bid. The district was bidding the vehicles with the Boothbay Harbor Sewer District in an effort to achieve greater savings with the bid open scheduled for 1405 hr. 26 February 2008.

10. The manager reported the Boothbay Fire Department (BFD) had been considering the purchase of the old service truck, scheduled for replacement, as is. The district had set an “as is” price of \$8,000.00 for the truck which was rejected by the officers of the BFD. As previously agreed the district will donate the stripped chassis to the BFD at such time as the new vehicle is complete.
11. The manager reported he attended the first meeting of an ad-hoc committee to work on the implementation of the Chapter 587 rule changes concerning in-stream flow. This occurred on 25 January 2008. The manager described in attendance were about 8 water utilities, Maine Water Utilities Association (MWUA), Maine Rural Water Association (MRWA), Maine Department of Environmental Protection (DEP) and the Maine Public Utilities Commission (PUC) with various contractors looking on. The discussion of this meeting was reported to have quickly wrapped around the definition of *System Design Capacity* and what and how it will be implemented. As the DEP is considering this definition it is benchmarked at the district’s capacity as of 7 August 2007. The manager queried the trustees; the question is what this number is? He went on to explain that this is very important because this is what the district will be locked into for flow restrictions for; the bigger the number the better. The manager reported he was working with the superintendents of the Bath Water District and the Great Salt Bay Sanitary District to approach the DEP on a regional level. Because Bath has already hired Wright-Pierce to work on this project and they have already done the district’s bathymetry and safe yield calculations, the manager asked permission to hire Wright-Pierce do the same in a coordinated approach. The manager provided the Wright-Pierce proposal which was approved.
Trustee Curtis motioned, Trustee MacPhee second, vote: unanimous
12. The manager reported the annual financial audit would commence on 19 February 2008. He went on to inform the board, because of new General Accounting Standards Bureau (GASB) requirements, in addition to interviewing the manager, there may be a need to interview a trustee on fraud suspicion. The board agreed that Trustee Curtis was the logical choice. Trustee Curtis stated he would make himself available as needed.
13. The manager reported that on 25 January 2008 the Knickerbocker Lake Intake generator was tested. It passed all of the required tests. The actual engine is smaller than the backup installed in 2004 for the Kenniston Hill tank pump station, but it is supercharged and produces more horse power at maximum load.
14. The manger reported in regards to the Knickerbocker Lake Intake Generator Project, Wright-Pierce had sent the paperwork for substantial completion. The manager informed the board that his stance was not to sign. He went on to reason that he had been convinced to sign the documents for the intake project before the punch list had been completed, with retained funds being released and then find the punch list not completed. Citing this as the “only hammer he had” to hold over Wright-Pierce he was not releasing retained funds until Wright-Pierce fixes the electrical problems with the raw water effluent valve, which has delayed the meaningful initiation of this project making it 1.5 years overdue. The board concurred with the manager’s approach.
15. The manager reported no news with the East Boothbay Storage Tank Demolition project.

16. The next point of discussion was the Sea Street community development block grant (CDBG) application. The manager reported the environmental review has been ordered for completion by Dirigo Engineering and was moving forward. This was done in response to a result of a conference call the manager put together with all of the parties to clarify the “claw back” agreement between the Boothbay Harbor Shipyard and the town of Boothbay Harbor. Prior to this clarification, the Shipyard intended to pull out of the project because it did not want to be part of any liability for the grant as did the town. The manager relented that this was a very logical and understandable position from both entities. As a result of the meeting it was determined that the grant will not be let until the jobs component was pre-approved. The manager described that this eliminated any claw back liability for the town and the shipyard. The CDBG process then moved forward with this stumbling block out of the way.

During the above mentioned conference-call the Shipyard stated they had or will be adding ten jobs. This addition of jobs was reported to be good news because now the sewer component would be eligible as an add-on to the additional grant application. The manager provided the board with a copy of an e-mail in which he reminded the town the sole reason the CDBG was happening was the result of work by the water district and that under the scoring criteria of the state was the priority. Both the town manager of Boothbay Harbor and the Superintendent of the Boothbay Harbor Sewer District registered their displeasure with the manager because of his refocusing the group to the original mission statement of this CDBG. The manager restated the district's position which was concurred by the board. Lastly it was reported the required public hearing for the CDBG in Boothbay Harbor would occur at 1900 hr. 25 February 2008.

The manager informed the board the next suspense date was 7 March 2008, this being the application due date to the state. The manager informed the board that he was setting a meeting with the Maine Drinking Water Program to ensure the matching funds for the program would be provided by the State Revolving Fund.

17. The manager reported on 9 February 2008 he met with attorney Chip Griffin and went over the finer points of the proposed easement for Dora Highlands. What was provided by the developer was not adequate in that the width of the easement did not meet the district's minimum standards and the area as described was not accurate. These revisions have been sent back to the developer. The manager described the punch list. He stated he had discussions with Frank Crooker and said he would hit them as soon as the project, i.e. paving, was complete. The manager also added that prior to approval the developer owed the district an outstanding bill.
18. The board voted to go into executive session pursuant to 1 MRSA §405 (6) (B) & (D) at 1506 hr.
Trustee Curtis motioned, Trustee MacPhee second, vote: unanimous
19. The board came out of executive session at 1515 hr.
Trustee Curtis motioned, Trustee MacPhee second, vote: unanimous
20. The meeting was adjourned at 1517 hr
Trustee MacPhee motioned, Trustee Curtis, vote: unanimous

END OF MINUTES

Respectfully Submitted,

Jonathan E. Ziegler,
Manager

PAGE LEFT INTENTIONALLY BLANK