

27 November 2007

MEMORANDUM

From: Manager
To: Board of Trustees

Subj: **MANAGER REPORT AND MINUTES FOR THE TRUSTEE MEETING 13 NOVEMBER 2007**

The Board of Trustees convened at 1400 hrs. In attendance Trustee Pinkham (Chair), Trustee MacPhee, (Vice Chair), Trustee Curtis (Treasurer)(per telecom), Trustee Marston, Jon Ziegra, Manager, Administrative Manager (AM) Bob Raudenbush. Guest: Mr. Jim Lord P.E., Dirigo Engineering; Mr. Alden Jordan, Jordan Construction. Absent: Trustee Carter (Clerk),

1. The minutes of the 23 October 2007 trustees meeting were approved.
Trustee MacPhee motioned, Trustee Marston second, vote: unanimous
2. Warrants 63, 64, 65 & 66 were approved.
Trustee Curtis motioned, Trustee Marston second, vote: unanimous
3. Trustee Curtis recognized Mr. Jordan who was at the meeting contesting the district's interpretation of the Reed Road contract as to the meaning of "in-place" pricing for material restoring the road after main replacement. Mr. Jordan maintained that even though he bid and signed the contract as "in-place" pricing that is not what he meant. He maintained that it was his intention to be paid for truck yardage, a number pointed out by Mr. Lord that can be twenty five to thirty percent higher due to lack of compaction, and that he had made "no profit on this project". Mr. Jordan presented the board with a written explanation and documentation to reinforce his position and calculations that the district's calculation of lateral excavation was wrong, maintaining the district owed him an approximate additional \$15,000.00.

Mr. Lord presented the written and signed contract to the board that stated the pricing precisely as administered by the contract. In addition to clearly requiring "in-place" pricing the contract also specified other actions that were to be accomplished by Jordan Construction, such as site restoration and clean up, that were later completed by the Boothbay Harbor Public Works Department after Jordan Construction abandoned the site.

Discussion persisted between Jordan Construction and Dirigo Engineering until chairman Pinkham suspended further discussion instructing the manager to check with attorney Geoff Hole, to verify the district's position on "in-place" pricing was correct and to verify the lateral yardage calculation was correct and report to the board at the next meeting.

4. The manager reported the Knickerbocker generator project was still on-schedule and was to begin in December. The manager reported the propane company had been contacted and the work plan for fuel installation had been scheduled and the scope of work had been delineated.

5. The manager reported that on 7 November 2007 DeZurick arrived and recalibrated the effluent valve, located within the raw water pump station, from the Knickerbocker Intake and provided training to staff on its proper operation. The valve was then hydrostatically tested to 54 lbs and failed quickly. The manager went on to explain to rule out any other leakage the valve will be air tested with Wright-Pierce present. It was explained that if air bubbles appear in the raw water wet well then the valve is faulty and Wright-Pierce will turn this over to DeZurick and T-Buck for resolution.
6. It was reported that on 26 October 2007 the town of Boothbay reopened the Adams Pond Road to traffic. The manager relayed that he thought the final product looked good and was environmentally sound.
7. The board moved to discussion of the disposition of the East Boothbay standpipe. It was reported that on 24 October 2007 the AM and the manager met with Mr. Dan Alley to discuss the possibility of tipping the abandoned tank over. The three men walked the boundaries and discovered that there was adequate space to complete this project. In addition, Mr. Alley verbally agreed to allow the district to stage on his property if needed. Post-demolition plans were reportedly discussed including the property reverting back to Mr. Alley with an easement for the district to operate (as previously agreed to by the East Boothbay Water District), the demolition of the concrete pad and the installation and placement of a new fire hydrant. The manager relayed that there was discussion concerning the litigation ongoing with the Farnham Point Association. To navigate around any potential legal entanglements the manager proposed the required fire hydrant that will be needed once this project is completed and will be located on Farnham Point Road but on Alley property. The manager reported that all parties were aware the hydrant and remaining appurtenances would remain public domain.
8. The manager reported on the on-going efforts of the district to obtain a community development block grant for public water upgrade on Sea Street in Boothbay Harbor. It was reported that on 25 October 2007 a meeting was held at the Boothbay Harbor town hall with representatives from the district, Boothbay Harbor, Boothbay Harbor Boatyard, Lincoln County Economic Development, Dirigo Engineering and the State present. The meeting was reported to being very positive. There was some confusion over the jobs that would need to be added and the timing but after discussion the consensus from the group was to move forward. Ms. Amy Winston, Lincoln County Community Development, was putting together the package for the pre-application, which was reported due by 4 January 2008. The manager reported he had scheduled a follow-up visit with her to which trustee Pinkham instructed the manager to report back to the board.
9. The manager reported the intake zone for Knickerbocker Lake had been marked by a sign that provided by John Marsh Signs. The manager reported that there had been no negative feedback from the public and that the sign looked very professional and reflected well on the district.
10. The manager had no new information concerning the many subdivisions in the region.
11. The AM provided the board with an update on the relative health of the district's budget. It was reported that district revenues were running 5.7% over the projected budget, while expenses remained approximately 11.0% under projections. However, the AM reminded the board that on 19 November 2007 the major bond payments equaling \$167,000.00 were due which would close the budget expense number.

12. The manager reported the quality of Adams Pond water was good (1.2 ntu), with a usable reserve of 202,000,000 gallons and rising.
13. The manager reported during the period of 24 through 26 October 2007 he had interviewed qualified candidates for the open utilities technician position. After long consideration the position was offered to, and accepted by, Mr. Adam Macy of Boothbay Harbor. Mr. Macy was reported to very much like the water industry is experienced in year-round and seasonal water systems has upward mobility potential and would like to remain in the Boothbay region. It was reported that he had already begun on a part-time basis and will begin full-time on 12 December 2007.
14. The AM provided the board with an update on the 2008 health insurance rates to be absorbed by the district. It was reported the increase was to be 4.0%, which was an improvement over years past.
15. The board voted to write off a debt of \$260.40 owed by Ms. Susan Pauquette of parts unknown. She abandoned her property on Park Street in Boothbay Harbor shortly after it burned and attempts to recover the owed money have been fruitless. Trustee Marston inquired if the service to the building had been discontinued. The AM reported that it had. The board voted to write off the debt owed.
Trustee MacPhee motioned, Trustee Marston second, vote: unanimous
16. The board voted to go into executive session pursuant to 1 MRSA §405 (6) (D) & 1 MRSA §405 (6) (A) at 1525 hr.
Trustee MacPhee motioned, Trustee Marston second, vote: unanimous
17. The board came out of executive session at 1545 hr.
Trustee Curtis motioned, Trustee Marston second, vote: unanimous
18. The meeting was adjourned at 1546 hr.
Trustee Curtis motioned, Trustee Marston, vote: unanimous

END OF MINUTES

Respectfully Submitted,

Jonathan E. Ziegler,
Manager