

13 September 2005

MEMORANDUM

From: Manager

To: Board of Trustees

Subj: MANAGER REPORT AND MINUTES FOR BOOTHBAY REGION WATER
DISTRICT MEETING 23 AUGUST 2005

**MINUTES FOR 23 AUGUST 2005 BOOTHBAY REGION WATER DISTRICT BOARD OF
TRUSTEES MEETING**

The Board of Trustees convened at 1345 hrs. In attendance: Trustee Pinkham (Chair), Trustee MacPhee (Vice Chair), Trustee McNelis (Clerk), Trustee Curtis (Treasurer) Administrative Manager (AM) Bob Raudenbush and Manager Jon "Ziggy" Ziegra. Guest: Mr. Jim Betts, Assistant Code Enforcement Officer, Boothbay. Absent: Trustee Carter.

1. Trustee Pinkham called the meeting to order at 1345 hr.
2. The minutes of the 9 August 2005 meeting was approved with amendments.
Trustee Curtis motioned, Trustee MacPhee second, vote: unanimous
3. The board approved warrants 47, 48 & 49
Trustee MacPhee motioned, Trustee McNelis second, vote: unanimous
4. The manager provided an overview of the Murray Hill Water Main Replacement project. It was reported the construction project essentially was complete. It was reported the final construction meeting had been completed 17 August 2005 with Change Order #1 being signed and the final dispersal approved. The manager reported that Rural Development had discovered an error overpaying Whorff Construction with the Change Order and was working on a revised figure. The error was reported to be in favor of the district and would be available for signature at the next district meeting. The remaining outstanding items include the district honor easement commitments with the Mann family, removal of a copper flushing line on Murray Hill Road, minor road patching, and ditch improvement adjacent to the Five Gables Inn. The work adjacent to the Five Gables Inn was reported to be postponed until after the tourist season as to not impact operations of the inn any further this year.
5. The manager reported he had talked to Mr. David Dudley, Boothbay Chamber of Commerce (COC) and had received verbal authorization to move the electrical panel after 9 September 2005 at the district's leisure. The manager reported he had authorized Mid Coast Electric to execute the contract for a sum of \$1,900.00 with the stipulations of the COC. The board instructed the manager to keep them informed as to the status of this project.

6. Trustee Pinkham recognized Mr. Jim Betts, Assistant Code Enforcement Officer, Boothbay who presented a status report of his recent activities. Mr. Betts reported he had cited an individual within the Adams Pond watershed with operating an illegal hazardous waste site. With cooperation with the Maine Department of Environmental Protection, he was able to have the area remediated at the landowners cost. In addition, Mr. Betts provided the board with an update as to his current certification status and recent training. The board again asked for a matrix of his workload for a future meeting so that a determination of increasing or decreasing funding for this position could be made. Trustee Pinkham thanked Mr. Betts for the job he is doing and stated he looked forward to future reports.
7. The manager reported on the status of the Knickerbocker Intake Project. It was reported the 95% drawings had been submitted and were currently under review. The manager reported easement issues still existed with Mr. & Mrs. Cozzi, Somerset, New Jersey concerning power and road maintenance obligations over lot 148A. The manager reported that Attorney Geoff Hole was working this issue and a report would be ready by the next meeting. The manager reported he was to be meeting with Central Maine Power (CMP) within the week to layout power poles and ascertain a rough cost estimate for achieving overhead power to the site. A bid date was reported not to be set awaiting the status of the power issues and completion of the bid package. Finally, the manager informed the board, the Cozzi's were erecting a new home on lot 148A.
8. The manager updated the board on the status of the new Sustainable Water Use Rules currently under formulation with the DEP. The manager provided the board with a draft calculation of the safe yield for Adams Pond and Knickerbocker Lake as prepared by Wright-Pierce Engineering using the proposed 80% confidence level. The manager reported that this rule making if gone wrong would have a profound negative effect on the operations of the district, potentially opening all facets of operations to DEP scrutiny and interference. It was reported that this was a potential and that a "turf war" now existed in state government between jurisdictional concerns of the Drinking Water Program, the Public Utilities Commission and the DEP.
9. The manager reported the variable frequency drives (VFD) for finish water pump #2 and raw water pump #2 had been replaced and were now in service. The board instructed the administrative manager (AM) and the manager to create an incremental investment account for continual plant upgrades and repairs in the 2006 budget and beyond.
10. The manager reported the Massachusetts Road master meter had been downsized from 2" to 1" as approved previously by the board of trustees.
11. The manager described the progress of several subdivisions currently under consideration by the district in the towns of Boothbay Harbor and Boothbay.

Dora Highlands – No change in status

High Ledge –The manager reported again he had not heard on the ruling by PUC on the complaint filed by Mr. Neil Ward concerning the district's subdivision policy.

Weiner Subdivision – No change in status

Sunset Acres – The manager reported this subdivision as approved and had met with the contractor. It was recommended by the manager the district replace the main on Sunset Road as part of the incremental main replacement program because of the low

cost per lineal foot. The board liked the concept of this upgrade but would hold off judgment until a formal cost estimate was provided.

Boothbay Country Club – No change in status was reported concerning this subdivision.

St. Andrews Village Phase II – No change in status was reported concerning this project.

12. The manager reported the mixer for the sludge waste system remained broken and no change in status.
13. The AM provided the board with a report he found on the State of Maine website concerning follow-up on a Dig Safe violation perpetrated against the district. The AM reported the State follows-up on these and the information for resolution is widely available. Trustee MacPhee inquired if the district had a policy concerning hiring sub-contractors for excavation services, prequalifying candidates. The manager said he did not. Trustee MacPhee, motioned the district devise a policy of basic requirements of excavation contractors.
Trustee MacPhee motioned, Trustee Curtis second, vote: unanimous
14. The manager reported that he had made an administrative policy that all road opening permits for service connections, throughout the district would be taken out by district. The manager reported the Town of Boothbay had taken the stance that it would not allow service to homes on the opposite side of roads if those roads were paved within five years. The manager relayed that this was not in accordance with state mandate, charter, PUC rules and road law. The manager stated the district had the right to open roads to put in and maintain its infrastructure in its chartered district. The manager reported that the district was intending to take a road opening permit for Mr. Roy Houde, previously rejected by the town of Boothbay. The manager reported that he would have a respectful meeting with the town manager prior, explaining the district's responsibility to serve, and detail the districts intentions to restore the road to the town's satisfaction. The board expressed the opinion that this is too big an issue and if rejected use all avenues available to allow the district to properly function in all of the towns of the district.
15. The manager reported the University of Maine was using the district as a study sight for two master thesis projects. The first project included the study of algae in Adams Pond requiring the addition of equipment in the treatment plant at no cost to the rate payers. The second study would explore trihalomethane (THM) precursors in the distribution system. The board concurred with the manager's decision to allow this activity with one caveat; the district be provided a copy of the thesis and the data tables upon completion of the project.
16. The board voted to go into Executive Session at 1440 hr. to discuss personnel issues
Trustee MacPhee motioned, Trustee McNelis second, vote: unanimous
17. The board came out of Executive Session at 1442 hr. and the meeting was adjourned at 1447 hr.
Trustee McNelis motioned, Trustee Curtis second, vote: unanimous

Respectfully Submitted

Jonathan E. Ziegler, Manager