

8 April 2003

MEMORANDUM

From: Manager  
To: Board of Trustees

Subj: MINUTES FOR BOOTHBAY REGION WATER DISTRICT MEETING 8 APRIL 2003

**MINUTES FOR 8 APRIL 2003 BOOTHBAY REGION WATER DISTRICT BOARD OF TRUSTEES MEETING**

The Board of Trustees convened at 1400 hrs. In attendance: Trustee (Chair) Irving, Trustee (Vice Chair) McNelis, Trustee Curtis, Trustee Crawford, Trustee Pinkham, Administrative Manager Bob Raudenbush and Manager Jon "Ziggy" Ziegra. Guests: John Anderson, Town Manager, Town of Boothbay; Carlo Pilgrim, Town Manager, Town of Boothbay Harbor; Richard Davee, Vice President, Wright Pierce; Rob Johansen, President, CC-Net Inc.; Richard Bredeau, Chief Plant Operator. Absent: None

1. Trustee Irving called the meeting to order at 1400 hr.
2. The minutes of the 25 March 2003 meeting was approved with minor grammatical changes as directed by Trustee Curtis and Trustee McNelis.  
*Trustee Curtis motioned, Trustee McNelis second, vote: unanimous*
3. The Board approved warrants 18, 19 & 20.  
*Trustee Curtis motioned, Trustee McNelis second, vote: unanimous*
4. Trustee Irving directed the Board to consider the following resolution:  
  
***"The Board of Trustees of the Boothbay Region Water District hereby resolves and does authorize its Chairman and its Clerk to execute and deliver a RUS Bulletin 1780-12, "Water and Waste System Grant Agreement", on behalf of the District substantially in the form presented to this meeting with such changes and additions as they in their discretion may deem necessary or appropriate.***  
  
***Resolved further that the Board, acting through its appropriate officers as designated in By-Laws, take all necessary and appropriate steps to carry out the transactions contemplated by the Grant Agreement approved at this meeting."***  
*Trustee Crawford motioned, Trustee Pinkham second, vote: unanimous*
5. Trustee Irving directed the Board to consider the Loan Resolution as written in Appendix A to the minutes.  
*Trustee Curtis motioned, Trustee McNelis second, vote: unanimous*
6. Trustee Irving opened all bids for the fluoridation addition project. The bids were read as follows.
  - a. Peachy Builders - \$179,900.00;
  - b. Penta Corporation – 180,974.00;
  - c. T. Buck Corporation – 167,077.00; and
  - d. Ganniston Construction – 184,000.00

Trustee Curtis moved accept the bid of T. Buck Corporation dependent on a review to ensure conformance to the bid specification and reference check to be performed by Wright Pierce.

*Trustee Curtis motioned, Trustee Pinkham second, vote: unanimous*

7. The Manager reported to the Board that the United States Environmental Protection Agency (EPA) had selected the Boothbay Region Water District's surface water supplies for study. Included in the study would be a stream profile determining the health and water quality of the various feeder streams to both Knickerbocker Lake and Adams Pond. Semi permanent testing stations were to be established with the EPA identifying sources of contamination through benthic macro invertebrate sampling, turbidity, conductivity and e-coli identification. The Town Manager of Boothbay was made aware of this program.
8. Trustee Irving recognized Mr. Rob Johansen, President, CC-Net Inc., to discuss the breach of contract and removal of his company's equipment from the Mt. Pisgah Standpipe. Mr. Johansen discussed his interpretation of the contract with the aid of the Town Managers of Boothbay and Boothbay Harbor. Trustee Irving asked the Manager to explain his research and the District's legal opinion concerning this contract. After much discussion, Trustee McNelis, taking into account CC-Net efforts to expand service in Boothbay, asked Mr. Johansen if the District would extend the contract, by addendum, to 30 June 2003 for CC-Net to fulfill its obligation, would high speed internet service be established at the District office complex? Mr. Johansen responded, "Absolutely done, drop dead date, June 30". The Manager was directed to contact Attorney Geoff Hole to make the necessary adjustments to the existing contract.  
*Trustee McNelis motioned, Trustee Pinkham second, vote: unanimous*
9. The Board asked the Town Managers of Boothbay and Boothbay Harbor to submit a letter in support of the Kenniston Hill Standpipe/East Boothbay Interconnection Project as required by the Rural Development Agency (RDA). Both Mr. Pilgrim and Mr. Anderson agreed to do so.
10. Mr. John Anderson asked if the Board had accepted the water main and appurtenances feeding the Boothbay Fire Station. The Manager reminded Mr. Anderson the Town of Boothbay had not presented the required as-built drawings and pressure test results as previously required by the District. The Board stated they would take no action until such time as those documents were made available.
11. The Town of Boothbay petitioned the Board for first refusal for the purchase of the 1995 pick-up truck to be sold by the District for use as a brush fire truck. The Board agreed.  
*Trustee Curtis motioned, Trustee Pinkham second, vote: unanimous*
12. The Board took action on the revised by-laws. Trustee Curtis immediately motioned to accept the by-laws "as corrected".  
*Trustee Curtis motioned, Trustee McNelis second, vote: unanimous*
13. The Board considered a freeze abatement as allowed in the Boothbay Region Water District Terms and Conditions of Service for Ms. Lucille Machon, 10 Giles Place, Boothbay Harbor, Maine. After discussion the Manager stated that the location of the freeze was too close to call and an argument could be made either way. The Manager recommended the Board consider covering half the cost of the excavation and plumber services, consistent with District policy.  
*Trustee McNelis motioned, Trustee Pinkham second, vote: unanimous*
14. The Manager reported the land acquisition process for the Gosselin property was moving along through Attorney Chip Griffin's Office and a draft of the sale agreement had been delivered. It was also reported that as a condition of sale Mr. Gosselin had requested a deed covenant restricting the property for being used for commercial purposes, in which was the intent of the District. The survey of the property had yet to be completed.
15. The Administrative Manager (AM) presented his budget report. Expenses should be 27% and was at 28%, one percent over projections while revenue, which should also be at 27%, was at 28% or one percent over projection. The AM reported a RD loan for \$80,728.00 was due 18 April 2003 and would be taken by

electronic transfer. Trustee Curtis asked which loan payment this was for. The AM relayed that this was for the “multi-project” initiated in 2000/2001. The AM further reported only the First National Bank of Damariscotta had responded to the loan consolidation effort and he was awaiting word from Fleet Bank, Key Bank and North Bank.

16. The Manager reported the Knickerbocker Lake Approval was still with the DEP. It was reiterated that a tentative agreement was reached and the draft permit would be in hand toward the end of the month. It was further reported that the monitoring equipment to support the permit modification had been purchased at a cost of \$3,400.00. It was also relayed that the intake project had ranked very high on the State Revolving Fund (SRF) list.
17. The AM was directed to pursue short term funding to support the Kenniston Hill Standpipe/East Boothbay Interconnection project. In addition, the Board discussed the timing of this project and the development of a plan of action and milestones. Trustee Curtis motioned that it is the goal of the District to have the project completed by April 2005.  
*Trustee Curtis motioned, Trustee McNelis second, vote: unanimous*
18. The Manager reported he had been in contact with the DEP concerning the oil tank replacement program. He reported that the DEP had changed some of its requirements to make it more palatable to the District, most notable, simplifying the means testing requirement and including oil tanks within 1000 ft of both Knickerbocker Lake and Adams Pond. The Manager said the proposed contract was in review with the Attorney Geoff Hole.
19. The Board voted to assist in “in kind service” to restore Mrs. Grace Calhoun’s lawn, disturbed due to a freeze problem this past winter.  
*Trustee McNelis motioned, Trustee Crawford second, vote: unanimous*
20. The Manager relayed he had reported a possible Natural Resources Protection Act (NRPA) violation, in a stream feeding Adams Pond to the Code Enforcement Officer (CEO) for Boothbay. The violation was witnessed on commercial property adjacent to the Gosselin property. The CEO dispatched the DEP, which made multiple visits to the site. The District from the DEP or Town of Boothbay had received no word of corrective action or violation at that time.
21. The meeting was adjourned at 1542 hr.

END OF MINUTES

Respectfully Submitted,

Jonathan E. Ziegler  
Manager

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