

23 September 2003

MEMORANDUM

From: Manager

To: Board of Trustees

Subj: MINUTES FOR BOOTHBAY REGION WATER DISTRICT MEETING 9 SEPTEMBER 2003
MINUTES FOR 9 SEPTEMBER 2003 BOOTHBAY REGION WATER DISTRICT BOARD OF TRUSTEES MEETING

The Board of Trustees convened at 1400 hrs. In attendance: Trustee (Chair) Irving, Trustee Pinkham (Vice Chair), Trustee McNelis, Trustee Curtis, Trustee Crawford, Administrative Manager Bob Raudenbush and Manager Jon “Ziggy” Ziegra. Guests: Mr. Neal Ward, Nu-Tek Homes Inc. Absent:

1. Trustee Irving called the meeting to order at 1400 hr.
2. The minutes of the 24 August 2003 meeting were approved with the clarification in item 5 (f) read “*all subdivisions within the watersheds of Adams Pond or Knickerbocker Lake*”.
Trustee Curtis motioned, Trustee McNelis second, vote: unanimous
3. The Board approved warrants 50, 51, & 52.
Trustee Curtis motioned, Trustee McNelis second, vote: unanimous
4. Trustee Irving recognized Mr. Neal Ward, Nu-Tek Homes Inc. to restate his case for for \$2,500.00 in compensation for alleged negligence of the Manager. Mr. Ward restated the Manager, on May 19 2003 had visited the Knapp construction site on Adams Pond Road and told the blaster, employed by Mr. Ward to stop all blasting operations and could not blast until the matter was taken up by the “Board” (what board was not disclosed by Mr. Ward). He went on to say the Manager was acting outside of his authority and he was entitled to compensation for lost work time.

The Manager reminded Mr. Ward that he was not present at the time of the conversation between the Manager and the blaster and that his allegations were not consistent with the Manager’s side of the story. The Manager reiterated that when he arrived and talked to the blaster and made him aware that the Adams Pond Dam was in very close proximity to the blasting location and that it appeared the blasting line went into Adams Pond, the District was concerned.

Trustee Irving asked the Manager if he had reviewed the plans for the building. The Manager responded in the affirmative but for only setback, erosion control and placement of the septic system. He reaffirmed that he was never informed of any blasting operations until the day before blasting was to occur. Mr. Ward repeated that he had asked the Town of Boothbay if the District had been made aware of the project and since he had heard nothing from the District he assumed everything was in order and blasting could commence.

Trustee McNelis offered “Why wouldn’t, as a prudent man, you be on-site, knowing the District had concerns?” and “Why did you not contact the District?”

Upon reflection of the situation, Mr. Ward withdrew his request for claims of alleged damages and departed. The Manager went on to inform the Board that he had contacted Attorney Geoff Hole, forwarded all information and relayed that Attorney Hole thought the

District was immune to any action proposed by Mr. Ward. Trustee Curtis motioned to close any further action concerning this matter.

Trustee Curtis motioned, Trustee McNelis second, vote: unanimous

5. Trustee McNelis reported on a recent meeting between himself, the Manager, Code Enforcement Officer (CEO) and the Town Manager of Boothbay. Covered in the discussion was what the Planning Board wanted for priorities of the District; discussion concerning compliance to violations within the watershed; potential rate increases; status of the Kenniston Hill/East Boothbay Interconnection project; status of Knickerbocker Lake development; and the responsibility for the Town of Boothbay to fund future expansion of the system within Boothbay.
6. The Administrative Manager (AM) reported as a linear progression the budgeted expenses should have been at 68% and the actual expenses were at 69%. Conversely, revenues were calculated at 74%. The overrun in expenses was explained as engineering costs for the Kenniston Hill project that the District had not yet reimbursed itself.
7. The Manager reported the Kenniston Hill/East Boothbay Interconnection project was on track. He reported the preliminary design was nearing completion and should be completed by the next Trustees meeting. In addition, the Manager reported that there was a very good possibility that there would be sufficient funds to complete the Presley Drive loop and Murray Hill main replacement. It was reported the boundary survey had to be redone due to improper instructions to Leighton Associates by Wright Pierce. Therefore, movement on land acquisition, being handled by Carl R. Griffin Esq. was also on hold. However it was reported that Attorney Griffin had completed a purchase and sales agreement for the Kenniston Hill property as well as a draft warranty deed. Trustee Irving asked if the District would be paying for the reconfiguration of the boundary survey. The Manager reported he did not think so because it was part of a contract signed with Wright Pierce that was firm fixed price. Trustee Irving instructed the AM to track this expense to ensure it is not passed to the District.
8. Trustee Irving asked the Manager if he had heard from Wright Pierce in regards to the Board's displeasure concerning its billing percentage for the fluoridation project. The Manager reported that he had had discussions with Mr. Rick Davee concerning the letter drafted by Trustee Curtis who inquired who the Board would like to talk to and when. The Board tasked the AM to track engineering costs for Wright Pierce going back ten years. Then the Manager was directed to "short list" other engineering firms and ascertain their rates and service. The Board finally asked the Manager to have the President of Wright Pierce appear before the Board during the first regularly scheduled meeting of October.
9. The Manager provided the Board a report on the fluoridation project. He reported that it was moving along very well. Since the previous meeting the painting was completed; lighting was reported installed; bulk and day tanks were installed; the API analyzer was installed, however not yet calibrated or tested; the data recorder was installed and operational; smoke, fire and intrusion systems were installed and operational; and the tap for the main was scheduled. The Manager reported that the tap into the main would be regarded as a \$400.00 change order because the injection lance could not be installed as designed. The District opted not to complete the tap because of lack of experience and equipment necessary for the tap to be done. Finally, the Manager stated he was planning to start up the system with water only to shake out any problems without potentially spilling highly poisonous material. It was hoped the system would be fully operational by the end of the month.

10. The Manager reported that very little activity on the Knickerbocker Intake had been completed since his last report. It was reported the District did meet its responsibilities under the new withdrawal permit by submitting the District's water conservation strategy including a description of its meter maintenance plan; policy on providing water saving devices free of charge; and publishing water conservation hints in the *Boothbay Register*. In addition the Manager reported Woodlot Alternatives Inc. had completed the field analysis to meet the baseline study requirements for the ecosystem of Knickerbocker Lake. It was also reported that Wiley Pond was being used as a control site for the Knickerbocker permit.
11. The Manager reported the water levels in Adams Pond and the Meadow Brook Wellfield were tracking almost identical to that of 2001, the record year for water depletion. However the Manager reported a 6.45% reduction in demand for the month of August, traditionally the most active month. This was attributed to two weeks of very foggy weather. Finally, the Manager reported that there had been a "significant" rain event within the preceding two weeks and was optimistic on the storage situation.
12. Trustee Curtis opened discussion on the placement of a radio repeater for Lincoln County on the West Harbor Standpipe. Trustee Curtis explained to the Board that the Manager had suggested this site to Lincoln County officials as an alternative to the already crowded Mt. Pisgah site. In his research the vacant West Harbor Standpipe site would meet the same requirements not requiring filtering equipment to operate. The Trustees agreed feeling this was the civic duty of the District to support Lincoln County especially in anti-terrorism efforts. The Board voted to allow Lincoln County to install a repeater system on the West Harbor Standpipe.
Trustee Curtis motioned, Trustee Pinkham second, vote: unanimous
13. Trustee Crawford motioned to liquidate land holdings on Ocean Point Road in East Boothbay left over from the former East Boothbay Water District. The Board instructed the Manager to liquidate these assets after such time as an appraisal had been completed.
Trustee Crawford motioned, Trustee Curtis second, vote: unanimous
14. The Manager reported on several recent trespassing incidents occurring on District property over the preceding several weeks. First the Manager related the Chief Treatment Plant Operator had reported near vandalism incidents in the vicinity of the raw water pump station. In addition the Manager reported that he had attempted to restrict a poll filling tanker truck from directly filling from Adams Pond. When he had confronted the individual he explained it was in accordance with the "Great Ponds Act" and therefore he would not discontinue draining the reservoir. The Manager reported he contacted Attorney Geoff Hole and was advised of an exemption that made the company in question in trespass. The incident was reported to the Lincoln County Sheriffs Department who advised the contractor that he was in fact trespassing and would be charged not only with trespassing but evaluated for charges of attempted terrorism (Federal Offense) if ever caught removing water from Adams Pond in the future.
15. The meeting was adjourned at 1532 hr
Trustee Pinkham motioned, Trustee McNelis second, vote: unanimous

END OF MINUTES

Respectfully Submitted,
Jonathan E. Ziegler
Manager
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