

28 September 2010

MEMORANDUM

From: Manager
To: Board of Trustees

Subj: **MINUTES FOR THE TRUSTEE MEETING 14 SEPTEMBER 2010**

The Board of Trustees convened at 1900 hrs. In attendance: Trustee Pinkham (Chair), Trustee MacPhee, (Vice Chair), Trustee Curtis, Jon Ziegra, Manager, Bob Raudenbush, Administrative Manager (AM). Guest: Chris Higgins, Bayville Sewer Corporation & Boothbay Harbor Sewer District
Absent: Trustee Marston (Treasurer), Trustee Carter (Clerk).

1. The minutes of the 10 August 2010 trustees meeting were approved.
Trustee Curtis motioned, Trustee MacPhee second, vote: unanimous
2. Warrants 47, 48, 49, 50, 51, 52 & 53 were approved.
Trustee MacPhee motioned, Trustee Curtis second, vote: unanimous
3. Chairman Pinkham recognized Mr. Chris Higgins, representing the Bayville Sewer Corporation, asked the board of trustees to credit the cost of a rebuild for the Bayville Sewer Corporation's backflow preventer because he maintained that the district had improperly notified him of the wrong device for which he errantly repaired. Mr. Higgins maintained the district had improperly addressed the failure notice which should have been sent to the address of the Bayville Village Corporation. The total cost of the rebate requested was \$120.00.

The manager explained that in fact the failure notice was properly addressed and listed per the request of the treasurer of the Bayville Village Corporation. Trustee Curtis pointed out the location, serial number, model number and tag number of the device in question all corresponded correctly with the failure notice. Mr. Higgins stated that "no-one looks at the serial numbers" and that the failure notice address was wrong.

The reconsideration was denied and a letter was directed to be sent to the Bayville Sewer Association to supply a consistent billing address for their devices to prevent this happening in the future.

4. The manager reported the Union Court Water Main Replacement project was moving on-schedule. On 19 August 2010 the sewer district trustees voted to go ahead with the sewer upgrade so the "sewer deep" matrix, provided to the board was being followed. The manager reported that the district had taken delivery of materials and stationed the construction trailer at the Profit's house and high density polyethylene (HDPE) pipe fusing has begun.

It was reported that the town of Boothbay Harbor had stripped the pavement from Union Street and Union Court. All of the joints with existing parking lots had been saw cut.

The district had met with all of the affected business and residents. There was strong concern from Ms. Dawn Gilbert of Heads of the Harbor but her concerns can be worked around.

Ms. Olga Carrito was on record as thinking “(the manager) and the project is stupid”. She objects to the timing, noise and public nuisance. However, the manager reported the remainder of tenants and residents were ok with the project in principle and are thankful for the steps the water district and the town were taking to lessen the impact as practicable.

The manager informed the board that the district had purchased the right for four parking spots, privately owned at a condominium complex on Union Street for the use of residents only affected by the construction. The cost is a \$100.00 donation to the condo association and striping their parking lot.

A pre-construction video was completed 23 August 2010 and Leighton and Associates shot the existing grades just to keep everyone honest and on speaking terms.

On 30 August 2010 Union Street was opened and the district completed a tap and sleeve and valve and a short extension of the 6” HDPE water main. The temporary water was also connected for the homes and business’ that would be without regular service, through a hydrant on the south end of Union Street and temporary water service was established. A sewer stub was brought to the edge of Union Street as well.

The week of the 30 August 2010 was dedicated to the installation of new sewer infrastructure with some assistance of district staff. Fusing and ancillary work continued in preparation of water main replacement as well as the blasting 80 lineal feet of roadway.

On 7 September 2010 the sewer work was completed and water main installation on 8 September 2010. As of this morning the water main including a water connection to the restaurant and hair salon has been installed.

Mr. Chris Higgins, representing the Boothbay Harbor Sewer District complained that he was only given 1 weeks’ notice to participate in the Union Street project. He stated that he has no budget money for items like this and needs more lead time to confer with his board regarding funding. Paving was scheduled to take place by 1 October 2010.

5. The manager reported that he had had a chance to review the plans and specifications for the Commercial Street Water Main Replacement Project as did the town of Boothbay Harbor and the Boothbay Harbor Sewer District. The town was mostly concerned with sidewalks and the sewer district was very concerned with the repair of any infrastructure that will most definitely be damaged during the construction of the water main. A line item in the contract was added to remove the existing sidewalk prior to construction and replacing them at the conclusion of the project.

With input from the town, sewer district & USDA we completed and set the following milestones:

- a. Contract was advertised on 7 September 2010 including the Boothbay Register
- b. Pre-bid meeting 15 September 2010, 1400 hr., Admin Office
- c. Bid Opening 28 September 2010 1400 hr. Admin Office
- d. Public Meeting – After award
- e. Construction Starts after 25 October.

Finally the manager reported that to date Harry Crooker, Sargent Construction, T-Buck and Harold Warren had taken out plans and specifications.

6. The manager then provided a status report on the East Boothbay Water Main Replacement Project. Since the last meeting not much on the ground had happened. On 12 August 2010 the district took care of the paving up the town's sidewalks on Route 96. When asked the manager explained he had done it "to shut (the town manager) up". The manager went on to explain that the district will overlay right up to the curb when the road gets resurfaced. The manager stated that the district had used Reny Construction for the paving.

The district received a lien notice against the project for \$257, 623.00 for unpaid bills to Ferguson Water works by their attorneys. Whorff's bonding company has promised to pay this off after the legal wrangling was completed.

On 17 August 2010 Whorff's bonding company paid off RC Paving for the sum on ACIC check # 1027 was \$240,133.90 which cleared the debt thus far owed the paving company. This cleared the way for RC Paving to return and redo the 150 foot section south of the General Store where Whorff had previously used the wrong paving mix. This action was completed 20 August 2010.

The manager reported a discussion he had had with Ms. Hillary Massey, Esq. (Libby, O'Brien, Kingsley and Champion) representing Drilling and Blasting Rock Specialists Inc. who has raised an alleged claim of \$20,000.00 in unpaid fees for drilling services. This allegation was referred to Whorff's attorney via Dirigo Engineering.

The manager reported that he was again receiving complaints on complaints that have not been answered by the contractor. These occurrences have been followed up with Dirigo Engineering and attorney Geoff Hole.

The final pay meeting and loan closing remains unscheduled.

Pike Industry's will begin the overlay process for the town roads in Boothbay Harbor and Route 96. According to Pike the process should be completed the week of 20 September 2010.

7. The AM reported that revenue is at 104% and expenses are at 89% of budget.
8. The AM reported he was reporting information to the contractor as to the upcoming rate case with nothing new to report.
9. The manager reported that the training the Department of Labor had mandated was now complete with the remaining deficiencies on track to be completed by 15 November 2010.
10. On 19 August 2010 the district switched over to Knickerbocker as a source and are pulling about 900,000 gallons a day average. As of the meeting the district has pumped and treated just over 21,000,000 gallons from Knickerbocker. The manager reported that he was targeting a shut down date the week of 11 October 2010 but would pump longer, weather permitting and if the district had not reached its permitted pumping level.
11. The board was informed that distribution operations were normal and that the year's meter change-out goal had been reached and exceeded.

12. The SWAP report was approved unanimously by the board. A joint workshop is to be scheduled with the Boothbay Planning Board.
Trustee Curtis motioned, Trustee MacPhee second, vote: unanimous
13. The manager explained that the 319 Grant Application indicated future submissions need more engineering and partnership data. The manager went on to state how critical a partnership with the town of Boothbay for the 2011 submission and that it would be a priority of the district when the new town manager came on-board in late October.
14. The manager reported on the Bigelow Laboratory Construction Project. The original target for Knickerbocker Group was to have the entire package for district approval of the project in front of the board that night which did not happen. However the manager stated Knickerbocker Group was doing a very good job chugging through the required materials. A survey had been provided to Chip Griffin for an easement. Knickerbocker and the district were working through the Maine Department of Transportation (DOT) permits. The Contractor will be Harry Crooker & Sons of Topsham Maine and the site Superintendent will be Mr. Tracy Thomas.
15. The manager reported he had been summoned to August at the Maine Department of Environmental Protection, on 30 September 2010, along with the other 7 affected water utilities to work on some form of the word “compliance” for the Chapter 587 rules. The board directed the manager to keep them informed as to developments.
16. The manager presented the board with a petition from the Sprucewold Association concerning future upgrades and fire protection. No action was taken.
17. The board went into executive session in accordance with 1 MRSA § 405(6)(D) at 2014
Trustee Curtis motioned, Trustee MacPhee second, vote: unanimous
18. The board came out of executive session at 2025 hr.
Trustee Curtis motioned, Trustee MacPhee second, vote: unanimous
19. The board voted unanimously to proceed with the acquisition of new utility billing software from Northern Data Systems of Falmouth, Maine.
20. The meeting was adjourned at 1947hr.
Trustee MacPhee motioned, Trustee Curtis second, vote: unanimous

Respectfully Submitted,

Jonathan E. Ziegler
Manager