

February 6, 2002

Regular Meeting of the Board of Trustees of the Boothbay Harbor Sewer District

Present:

Alden Jordan  
John Arsenault  
David Gaecklien  
Chris Higgins  
Peter Gardner

Meeting Called to order at 6:00 p.m. by Alden Jordan

The minutes of January 16, 2002 were read and reviewed. After review, John Arsenault made motion to accept minutes of 1/16/02 as presented. David Gaecklien seconded the motion. Vote to accept minutes was unanimous.

Warrant # 957 was examined. David Gaecklien made motion to accept warrant 957 as presented. John Arsenault seconded motion. Vote was unanimous. Warrant 957 was executed.

Chris Higgins explained the District's health insurance provider, Maine Municipal Employees Health Trust, is changing its legal and regulatory structure. The change was simply from a federal oversight to a state oversight. The change is to be effective January 1, 2003. In order for the District to continue participation in the program, the Board of Trustees must authorize the continued participation in the Health Trust's programs. Attached is Resolution #0202-1, "A Resolution Providing for the Participation in the Maine Employees Health Trust". After review of the resolution, David Gaecklien made a motion to enact the resolution as written. John Arsenault seconded the motion. The vote to accept the resolution was unanimous.

As a result of the Resolution passage, the Board of Trustees authorized the Chairman of the Board of Trustees to execute the Maine Municipal Employees Health Trust Multiple-Employer Welfare Arrangement Participation Agreement and The Amended and Restated Declaration of Trust. Alden Jordan, after a review of those documents, executed each. See Attached.

The Board of Trustees received bids for the Anticipation of funds (Anticipation Bond) for interim financing for the Eastern Avenue Sewer Project. The Board received five bids. They are as follows:

Bath Savings Institution – Rate 2.27% Draw down or Lump Sum  
KeyBank: Rate 2.52% Draw down or Lump Sum  
The First National Bank of Damariscotta: Rate 2.47% Draw down or Lump Sum  
Gardiner Savings – No Bid Submitted  
Peoples Heritage – Rate 2.48% Draw down or Lump Sum.

After a review of the Bids, David Gaecklien made a motion to accept the bid of Bath Savings Institution at the rate of 2.27%. John Arsenault seconded the motion. Vote was unanimous to accept bid. Alden Jordan instructed Chris Higgins to inform all participants by letter and to send an award letter to Bath Savings.

Matt Barter, of the Flagship Inn, contacted Chris Higgins regarding the water meter for Everybody's Restaurant. It was discovered that the water line to the restaurant was after the Inn's meter therefore the Inn was paying for the restaurant's water usage. Matt Barter requested that the Inn be reimbursed for the usage back to August 1, 1997. This date is when Matt Barter bought the Inn. Chris explained that the Water Company is reimbursing the Inn, but only for the overage above the minimum. The minimum is 7200 cubic feet per quarter for a 1-½ inch meter. David Gaecklien made a motion for the District to reimburse the Inn only that portion above the minimum back to August 1, 1997. John Arsenault seconded the motion. The vote was unanimous. The Board instructed Chris to calculate the credit based on the overage only and send a letter to Matt stating such. Also, the Board instructed Chris to include an invitation to Matt to address the Board if he is aggrieved by the Board's decision.

Chris informed the Board that the District's liability coverage through Hanover was being discontinued. Art Ridlon of J. Edward Knight Insurance forwarded a letter to the Board stating the same. Art recommended that we look elsewhere for coverage. Chris contacted the District's insurance consultant, Plunket & Candage Insurance Services, LLC. Jim Plunkett forwarded a consulting agreement for consideration. After discussion and review, it was decided that the District would secure the services of Plunket & Candage to review and secure the District's insurance requirements. David Gaecklien made a motion to execute the Consulting Agreement at a not exceed price of \$2,500.00. John Arsenault seconded the motion. The vote was unanimous.

Chris informed the Board that he plant was inspected by DEP on January 8, 2002. The Board reviewed the inspection report. All was found to be satisfactory. DEP will follow up on the odor control system and the inspection of the outfall pipe. A diver will have to be hired to inspect the outfall pipe. The Board instructed Chris to pursue the inspection and develop an odor control system.

Reviewed the latest correspondence regarding the Juniper Point Project. The Board decided that the DMR documents would not be executed until the Station is in compliance with the contract documents.

Henry Hurfurd contacted Chris regarding a sinking fund the District's debt. The charter indicates that a sum of 1% of the debt must be set aside. Henry was not sure that a sinking fund was required for 2001. The District refinanced the debt through the MMBB in November of 2001. The Board instructed Chris to contact Bill Logan to get an opinion as to whether the District needs to set up a fund for 2001. David Gaecklien made a motion to instruct Chris to get the opinion from Logan and if money is needed for 2001, to authorize Chris to transfer 1% of the debt from Fleet Bank Government Securities Fund to a Sinking Fund dedicated to the MMBB debt. John Arsenault seconded the motion. Vote was unanimous.



Reviewed miscellaneous correspondence. See attached.

New Business: Chris informed the Board that Sharon would be out 6 to 8 weeks for a minor foot operation. David asked who was taking care of the books. Chris advised that he was taking care of the bookwork.

No old business

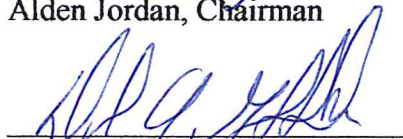
John Arsenault made a motion to adjourn the meeting. David Gaecklien seconded the motion. Vote was unanimous.


Meeting adjourned at 8:30 p.m.

  
Alden Jordan, Chairman

We, the undersigned, do hereby waive notice of the above meeting and do agree to the business transacted.

  
Alden Jordan, Chairman

  
David Gaecklien, Treasurer

  
John Arsenault, Clerk