

DATE: February 7, 2022

Boothbay Harbor Sewer District Board of Trustees Regular Meeting

Attendees:

Trustees Deryl Kipp – via Zoom, Jim Stormont, Jay Warren, Superintendent Chris Higgins, Julie Hoskeer, Christian Hoskeer

Call to Order:

Trustee Kipp, called the regular business meeting to order at 17:01 hours. All materials were sent to the Trustees prior to the meeting. All materials were available to the public upon request.

1. Review and Approve Minutes of January 17, 2022:

Trustee Stormont made motion to approve the minutes of January 17, 2022, as presented. Trustee Warren seconded. Vote to approve was unanimous (3-0).

2. Review and Execute Warrant #1439

Trustee Warren made motion to approve Warrant 1439 as presented. Trustee Stormont seconded the motion. Vote to execute was unanimous (3-0).

3. Execute 60-Day Late Letters: Bannister, Barter, Blois, Bowden, Curtis, Perdomo, Engert, Gentry, Hunt, Libby, Ludwig, O'Hara, Page, Paquette, Profit (2), Reed, Summers-Giese, Townsend, Turner.

Trustee Stormont reviewed and executed the late letters.

4. Execute Demand Notices: None

5. Execute Lien Discharges: None

6. Execute Lien Certificates: Engert, Nightingale

Trustee Stormont reviewed and executed the lien discharges.

7. Execute Notice of Impending Foreclosure: None

8. Sewer Entrance Application(s): None

Old Business

1. Plant Operations

A. Routine Operations – The superintendent reported normal operations for the plant since the last meeting.


1. **Non-Compliance Report** – The superintendent reported receipt of a “Letter of Warning” from DEP regarding the incident. The superintendent advised the Board the incident could have easily been a Notice of Violation. No other action was taken.
2. The superintendent advised the trustees the #1 sodium hypochlorite tank is still scheduled for delivery the week of February 7. The old tank has been removed.

All other operations and maintenance at the plant were routine.

B. Collection System Operations

1. The superintendent reported routine work.

C. Website Traffic – Nothing to report

2. **Personnel** – The superintendent advised the Collection System Tech position is advertised with no applicants responding. The position is posted throughout New England.
3. **Odor Issues** – Nothing to Report
4. **Blower Evaluation** – The superintendent reported a response in the form of questions, was sent to Wright-Pierce regarding the Evaluation. Wright-Pierce has not responded as of this meeting date.
5. **Manhole Rehabilitation Project** – The superintendent advised the Project is scheduled for bid opening on February 15, 2022, at 2:00.
7. **Riparian Rights & Plant Coastal Resiliency Upgrades – 27 Sea Street** –


The superintendent advised Wright-Pierce cancelled the survey work due to recent snowfall. The survey work will be rescheduled at a later date when the snow is gone, and low tide falls during working hours. The superintendent reported John Hennessey removed the aluminum runway that was stored on the district’s north shore. The superintendent reported Mr. Hennessey was thanked for moving the runway. Mr. Hennessey offered to remove the timbers with his truck if they needed removal. The superintendent advised he thanked Mr. Hennessey for the offer and that he may be in touch to schedule removal.
8. **Fullerton Street/Tupper Road Sewer Project** – The superintendent reported SW Cole performed the ledge profiles and a report will be forthcoming. As suspected, the superintendent reported ledge within 1 to 2 feet of the surface.

9. **Investment Documentation – The First** – The superintendent forwarded a letter of authorization for the First Advisors to invest funds for the District. Trustee Stormont executed the letter.

New Business

1. Julie Hoskeer – Masking Concerns

Trustee Kipp recognized Julie Hoskeer and gave her the floor. Ms. Hoskeer outlined her concerns regarding mask wearing during working hours due to a recent Trustee mask wearing policy. Ms. Hoskeer's major concern was being required to wear a mask while alone in her workspace and symptoms she was experiencing due to continuous mask wearing, specifically acne and oxygen saturation deficiency. Ms. Hoskeer also, supplied additional information from an article titled "Is a Mask That Covers the Mouth and Nose Free from Undesirable Side Effects in Everyday Use and Free of Potential Hazards?" published in the International Journal of Environmental Research and Public Health, dated April 20, 2021.

Chris Hoskeer asked if he could offer his company's policy regarding masking. Trustee Stormont recognized Mr. Hoskeer and gave him the floor. Mr. Hoskeer offered his company's policy and was well received.

Trustee Kipp asked if there were any more comments and there were none. Trustee Kipp thanked the Hoskeer's for coming in and discussing their issues and would take their concerns under advisement and will discuss later in the meeting and will review the current policy keeping an emphasis on safety and well-being. The Hoskeer's thanked the Trustees for their time.

2. **Enter into Executive Session Pursuant to Title 1, Chapter 13, Section 405.6.A.1, Personnel Matters** – Trustee Stormont made motion to enter into executive session pursuant to Title 1, Chapter 13, Section 405.6.A.1, Personnel Matters and to return to the regular business meeting. Trustee Warren seconded the motion. Vote to enter into executive session was unanimous. Session entered into at 1717 hrs.

The Board exited executive session at 17:29 hrs. and returned to the regular business meeting.

3. Certificate of Commitment for 2/1/2022 Billing

Trustee Stormont made motion to commit the invoices from the February 1, 2022, billing to the treasurer for collection. Trustee Kipp seconded the motion. Vote to commit was unanimous (3-0) in favor.

4. January 2022 Financial Reports


The Board reviewed the Budget and Balance Sheets. No action was taken.

5. LD 1875 and 1911


The superintendent advised he attended the Environment and Natural Resources Committee meeting regarding the work sessions LD 1875 and 1911 (see the attached bills) both dealing with PFAS.


The superintendent reported LD 1911, as amended, would ban any biosolids beneficial reuse, meaning land application and composting effectively closing the Hawk Ridge composting posting. These practices provide enormous environmental benefit in the form of supporting wastewater treatment infrastructure, sequestering carbon, recycling nutrients, and conserving and protecting the health of soil and water of the State.

The superintendent advised, in the absence of scientific, risk-based standards, enacting an all-out ban on land application and composting practices will have grave consequences that far outweigh the risks. In particular, for the BBHSD, disposal costs of sludge will go up significantly as all sludge in the state would require landfilling. Landfill capacity is already at a premium. The District may have to stop taking septage due to its PFAS content, and the District may have to stop taking leachate from the Refuse District due to PFAS. The superintendent advised the legislation does not solve any problems but will surely create many more for the wastewater community.

The superintendent advised a mailing campaign has started with members of the wastewater community hoping to slow down this legislation. This is pure emotional politics at work. More to come.

6. Covid-19 Safety Plan

The superintendent distributed the District's Covid-19 Safety Plan for review. The superintendent advised the Trustees the Plan met the current MeDOL/OSHA requirements. Trustee Warren advised he would like to review the Plan prior to adoption. The Board agreed.

Trustee Stormont asked the superintendent about the current District policy regarding masking. The superintendent reminded the Board it is lawful for an employer to have a policy requiring personnel to wear a mask in the workplace. The superintendent advised OSHA continues to recommend that employers institute workplace mask requirements and the CDC continues to recommend the use of masks.

The superintendent advised OSHA has listed exceptions to its guidance and they are:

- When an employee is alone in a room with floor to ceiling walls and a closed door.

- For a limited time while the employee is eating or drinking at the workplace or for identification purposes in compliance with safety and security requirements.
- When an employee is wearing a respirator or facemask.
- Where the employer can show that the use of face coverings is infeasible or creates a greater hazard that would excuse compliance with this paragraph (e.g., when it is important to see the employee's mouth for reasons related to their job duties, when the work requires the use of the employee's uncovered mouth, or when the use of a face covering presents a risk of serious injury or death to the employee).

The superintendent advised the Board may want to consider the first exception and apply it to the current masking policy with conditions. The superintendent offered the conditions to the OSHA exception is that all employees are not required to mask if alone in a workspace. Once the space is occupied by two or more then masking is required until the space returns to one occupant. The superintendent offered this scenario will work for District facilities.

After discussion, Trustee Stormont made motion for the superintendent to modify the current policy to reflect the OSHA guidance and concerns raised by District personnel. Trustee Warren seconded the motion. Vote to modify the current policy was unanimous. Trustee Kipp advised a review of the Policy should occur on a monthly basis as new information is made available. All agreed. The superintendent will author a revised policy and forward to the Trustees for review prior to release.

Correspondence: None

Public Comment: None

Adjourn Meeting:

Trustee Kipp asked for a motion to adjourn. Trustee Warren made that motion. Trustee Stormont seconded. Vote to adjourn was unanimous. The trustees adjourned the meeting at 1749 hours.


Deryl Kipp, Chair







Boothbay Harbor Sewer District Trustee Minutes of February 7, 2022

We, the undersigned, do hereby waive notice of the above meeting and do agree to the business transacted and certify these minutes are true and accurate.


Deryl Kipp, Chairman


Jay D. Warren, Clerk


James Stormont, Treasurer