

DATE: March 6, 2023

Boothbay Harbor Sewer District Board of Trustees Regular Meeting

Attendees:

Trustees Deryl Kipp, Trustee Jim Stormont, Trustee Hoffman, Superintendent Chris Higgins, Julie Latter – Boothbay Harbor Town Manager via Zoom, Dan Bryer – Boothbay Town Manager via Zoom

Call to Order:

Trustee Kipp, called the regular business meeting to order at 17:00 hours. All materials were sent to the Trustees prior to the meeting. All materials were available to the public upon request.

The superintendent noted the meeting is available on Zoom, Julia Latter and Dan Bryer are logged into the meeting. No other members of the public are logged into the meeting.

Meeting URL:

<https://us02web.zoom.us/j/89834634936?pwd=V2N4eG9zbEJiTkcyVkZNVzBXTk5lQk9T09>

1. Review and Execute Minutes of February 20, 2023:

Trustee Stormont made motion to accept the minutes of February 20, 2023, as presented. Trustee Kipp seconded the motion. Vote to accept was unanimous (3-0).

2. Review and Execute Warrant #1462:

Trustee Kipp made motion to approve Warrant 1462 as presented. Trustee Stormont seconded the motion. Trustee Hoffman inquired about the invoice from the Boothbay Region Shipyard. The superintendent advised the invoice was for the use of their boom truck and operator for four days for the extraction of the old steel and installation of the new steel in the SBR's. Vote to execute was unanimous (3-0). It was noted Trustee Hoffman electronically signed the Warrant.

Handwritten signatures: JHC, JAH, JCS

3. Execute 60-Day Late Letters: 34 Signal Point, LLC, Atlas Enterprises LCC, Bouffard, Ronald P., Curtis House, Elizarkov, Aundri & Larissa, Giles, Elbridge A. & June P., Lyons, Mirkka, Mackie, Jesse, Raymond, Michael & Sharon K.

The Board reviewed the Letters and Trustee Stormont executed the same.

4. **Execute Demand Notices: Bowden, Robert L., Page, Neal D. & Lisa M., Reed, William R., Shaffer, Ingrid & David Calef, Welch, Susan Radcliffe**

The Board reviewed the Notices and Trustee Stormont executed the same.

5. **Execute Lien Discharges: None**
6. **Execute Lien Certificates: None**
7. **Execute Notice of Impending Foreclosure: None**
8. **Sewer Entrance Application(s): None**

Old Business

1. Plant Operations

- A. **Routine Operations** – The superintendent reported mostly normal operations, maintenance, chemical usage for the plant since the last meeting. The superintendent advised there will be a DEP Laboratory inspection on March 20, 2023. This is a routine inspection that is supposed to occur annually, but the district has not had one in six years. The superintendent did not anticipate any issues.
 1. **Riparian Rights/Seawall Project Work** – The superintendent advised four applications for Congressional Discretionary Spending funds where in the works and should be submitted next week. The superintendent advised two meetings were upcoming this week with the congressional offices to discuss the funding applications. The district is in hopes that these applications will close the funding gap of 4.5M for the project. The superintendent advised he had not heard anymore from CMP.
 2. **Plant Evaluation** – The superintendent reported an onsite meeting was held with Wright-Pierce to review the plant infrastructure, instrumentation, and electrical. The superintendent estimated the project to be 40 to 50% complete. BAC
JCS
 3. **Sea Water Intrusion** – The superintendent advised he had been in contact with more state inspectors. An representative from the Fire Marshall's office and the stater electrical inspector was down to look at the properties. Although this has nothing to do with the District, it does not paly out well for Lafayette. The state health officer did contact the district and asked questions regarding the properties. The superintendent supplied the requested information and the health officer advised letters would be going to each business advising licenses would be withheld until the piping issues were repaired.

The superintendent reported he had been in contact with a representative of Kiser and Kiser, an engineering firm from Bangor. Apparently, Lafayette hired the firm to oversee and evaluate the needed repairs. The representative

advised he would be down in the coming weeks with two contractors to look over the needed repairs.

The superintendent advised the plugs are still in place at all the properties.

All other operations and maintenance at the plant and collection system were routine.

2. **Personnel** – The superintendent advised he has Ashley Adams of CMA and she advised CMA has received 4 resumes to date and that they have started their vetting process. Ms. Adams did forward an email to the superintendent with a list of questions she could not answer from two of the candidates. The superintendent responded to the email and provided the requested information.
3. **Manhole Rehabilitation Project** – The superintendent reported a preconstruction meeting is scheduled for March 20, 2023, at 9:00 a.m. for Phase B of the project. Green Mountain is expected back the end of March to complete Phase A. All of the work is supposed to be completed by Memorial Day.

The superintendent advised Insituform is supposed to be onsite this week or next to complete their work.

New Business

1. **Sludge Disposal Issues** – The superintendent updated the attendees on the state of sludge disposal and referenced the three attached letters (2 from Casella and 1 from DEP). Casella has advised the stability of the Juniper Ridge landfill has become unstable due to the lack of bulky waste material being mixed with sludge. According to Casella, the condition is a result of LD 1911 and LD 1639. LD 1911 banned the composting and land spreading of sludge in the State because of PFAS. This bill effectively directed all sludge generated in Maine to be landfilled. LD 1639 banned bulky waste from outside of the State to be disposed of in the State owned Juniper Ridge Landfill, Casella used the bulky waste to mix with sludge to stabilize it prior to disposal in the landfill.

Handwritten initials: JAC, JH, JCS

Now that all sludge in Maine is going to Juniper Ridge and without an adequate source of material to mix with the sludge, the landfill has become unstable and Casella has advised it will reduce the amounts going to landfill in order to stabilize the landfill. This decision has caused treatment plants to have no place to dispose of sludge. This condition is very concerning because plants do not have the capacity to store sludge and the potential for TSS violations of each plants discharge permit becomes increasing possible.

This issue has found the governor's ear as well as the legislatures. A mass letter writing campaign and TV interview spots with wastewater operators throughout the

state has been effective in getting the conversations started in Augusta to remedy the issue. There has been environmental groups and some legislators that believe this is a manufactured problem by Casella due to the financial impacts on Casella due to the market loss of bulky waste. Thus, politicizing the issue.

Casella has found a temporary outlet in New Brunswick, Canada to dispose of sludge in the short-term. Casella has advised its clients that an additional surcharge of \$61 to \$70 per ton will be assessed due to trucking the sludge to Canada. The superintendent advised this surcharge will result in a \$38,000 overage in the district's sludge disposal line.

The superintendent outlined three possible ways to reduce the amount of sludge generated at the plant. The first, change plant operations to hold sludge longer, (this has already been done), second, stop taking septage. This option will cost the district approximately 80K in loss of revenue, and third, do not allow any additional sewer connections. This option will impact any local growth and severely eliminate the currently planned affordable housing projects in Boothbay and Boothbay Harbor.

Trustee expanded upon the septage issue and advised this is a double-edged sword in that if we take it the plant generates more sludge and if the district stops taking it, the district loses 80K in revenue which compounds the added disposal fee increase of 38K. Additionally, Trustee Stormont asked if the superintendent anticipated a sludge disposal allotment from Casella and if so, then the board should consider not taking septage. However, that creates the issue of loss of revenue. Trustee Stormont offered not taking septage at this time may be premature until the District has better direction from the State and Casella. Trustees Kipp and Hoffman agreed to wait until Augusta has decided on what they are going to do going forward and what rules the District will need to follow. The superintendent asked the Board if they would like him to send the septage haulers a letter advising of the sludge disposal issues. Trustee Stormont advised that letter should be sent and to include the distinct possibility that septage disposal fees will go up to assist in recouping the extra disposal fees imposed by Casella. Trustees Hoffman and Kipp agreed. The trustees agreed to hold a public hearing during April to discuss and set the new septage fees only.

Handwritten initials:
MK
RHH
JCS

Further discussion surrounded on how to move forward. Consensus was reached to take a wait and see what Augusta does before the Board makes any further policy decisions on the matter.

2. **2023 Financial Reports** – The superintendent distributed the financial report through February 28, 2023. The Board reviewed the reports with no action taken.

The superintendent distributed the final 2022 financial statement report. The report included the Management Discussion & Analysis. The report plus the backup documentation will be forwarded to the auditors for them to begin their work.

- 3. Certificate of Commitment for March 1, 2023, Billing-** Trustee Hoffman made motion to commit the invoices of the March 1, 2023, billing to the treasurer for collection. Trustee Kipp seconded the motion. Vote to commit the invoices to the treasurer for collection was unanimous (3-0).
- 4. Investment Reports –** The superintendent submitted the Investment Reports ending February 28, 2023. Although still depressed from the initial offering, the funds have rebound slightly in value.

Correspondence:

- 1. Casella – February 20, 2023**
- 2. Casella – February 24, 2023**
- 3. DEP – February 24, 2023**



Public Comment: None

Adjourn Meeting:

Trustee Kipp asked for a motion to adjourn. Trustee Stormont made that motion. Trustee Hoffman seconded. Vote to adjourn was unanimous. The trustees adjourned the meeting at 1817 hours.


Deryl Kipp, Chair

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
Russell Hoffman, Clerk
James Stormont, Treasurer