

**DATE: January 02, 2024**

**Boothbay Harbor Sewer District Board of Trustees Regular Business Meeting**

**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.

Meeting URL:

<https://us02web.zoom.us/j/89487491201?pwd=ZktGODFmRFZhSjNLT29EdS9VM0NwZz09>

**Attendees:**

Trustee Deryl Kipp, Trustee Russell Hoffman (via Zoom), Trustee Jim Stormont, Superintendent Chris Higgins, New Superintendent Nicholas DeGemmis. No members of the public present.

**1. Review and Execute Minutes of December 18, 2023:**

Trustee Hoffman made a motion to accept the minutes of the December 18, 2023, meeting as presented. Trustee Stormont seconded the motion. The vote to accept the minutes was unanimous (3-0).

**2. Review and Execute Warrant #1480:**

Trustee Stormont made a motion to approve Warrant 1480 as presented. Trustee Hoffman seconded the motion. The vote to execute was unanimous (3-0).

**3. Execute 60-Day Late Letters: None**

**4. Execute Demand Notices: None**

**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. Plant/Collection System Operations** – The new superintendent reported power outages throughout the peninsula stemming from damage to the main transmission line running south from Edgecomb which resulted in power outages at all 20 pump stations and the Wastewater Treatment Facility for a duration of approximately 19 hours. Superintendent elaborated upon inspection and subsequent repairs of this main power feed to the peninsula and challenges encountered during restoration efforts. Trustee Kipp inquired about the operation of the Treatment Facility's generator and its limitations. Superintendent shared the 80kW generator will not power all equipment here, most notably the aeration blowers, and was originally selected with consideration for cost savings. Trustees Hoffman and Stormont discussed emergency power generation and operations of pump stations during outages.

1. **Riparian Rights/Seawall Project Work** – The incoming superintendent highlighted Wright-Pierce has provided Q4 MIAF Report Updates to Taylor LaBrecque at MDOT. Superintendent advised the district has *still* not yet received the inspection report from Black Dog Divers for their inspection work on the outfall pipe. Efforts to obtain this report ongoing until received.
2. **Ambient Water Quality Sampling for Total Nitrogen** – Superintendents discussed meeting with Angie Brewer and Rob Moler of Maine DEP and the unofficial plan for ambient monitoring beginning in May 2024 and lasting through October 2024 utilizing a sonde for dissolved oxygen, pH, salinity, chlorophyll, turbidity, and depth. The District will need to purchase the sonde and associated probes to collect this data. Superintendent added DEP will seek to deploy their own sonde for monitoring at Sample's Shipyard Dock to collect real-time data.
3. **Manhole Rehabilitation** – The superintendent advised the district is waiting for Vortex to come back and finish testing the final two manholes. Additionally, further efforts to clean and CCTV the outfall pipe to the diffusers by Vortex unsuccessful. The 3-4" lip at the transition of the outfall piping from 24" to 33" proved insurmountable for the robotic camera and, therefore, an alternative approach will need to be developed to clean and camera to the terminus of the piping at the diffusers before further inspection can be completed.
4. **2022 Audit Update** – The superintendent reported the audit is in hand and the audit was distributed.

JCS

RKH

BK

5. **2024 Meeting Dates** – Trustee Kipp asked the board if there was still interest in changing the meeting dates in 2024 to the first and third Tuesdays of the month. Trustee Stormont and Hoffman had no issue in changing the meeting dates. The superintendent reminded the Board the changing of the meeting dates would require advertisement because of the required change to the By-Laws. The superintendent advised the change to be made during the new year to allow for advertising of the meeting for the changes to the By-Laws. The Board agreed to advertise in the new year for the proposed change to the meeting date.
- B. **Coastal Maine Botanical Gardens/YMCA Sewer Extension** – Superintendent advised the December meeting was canceled because not all invitees were able to attend. A meeting between the Board, the YMCA, and CMBG should be held in the near future to allow the groups to discuss their sewer and water project and to determine the assistance required by the District. As previously discussed, the Board agreed and the Superintendent will reach out to the two organizations to set up a meeting.
- C. **Personnel Policy Review** – Superintendent advised he received an email from Perkins Thompson stating the updated Personnel Policy is currently under review.

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

#### **New Business**

1. **Certificate of Commitment** - Trustee Hoffman will need to sign when he's feeling better and able to come to the facility.
2. **2023 Year End Financial Report** - Superintendent advised the Trustees this report is not finalized until it is reviewed by the District's accountant. Adjustments will be made when final year end reviews are completed. Trustee Kipp commented overall nothing seemed unusual when reviewing gross profit compared to total expenses. Superintendent advised some of the expenses contained therein were related to projects, specifically the Sea Wall Project and the Relining Project, and will be adjusted, as well as the payoff of the two maintenance bonds. Trustee Hoffman inquired about the Expense Account for New Equipment and clarified deductions included the purchase of the new jetter. Superintendent commented the previously discussed targeted range for the District's checking account was established as \$150,000 and listed options for reallocation of available funds above this targeted value to pay down debt or fund equipment reserve.
3. **Call for Election for Trustee, May 2024** – Trustee Kipp motioned to call for an election for Trustee Stormont's position on May 3, 2024. Trustee Hoffman

seconded the motion. Superintendent advised the reason for discussion relates to the time sensitivity of the elections with respect to laws relating to municipal elections in the Maine Revised Statutes.

4. **Execute Election Warrants for the Towns of Boothbay Harbor and Boothbay**  
Trustee Kipp motioned to execute the Election Warrants. Trustee Stormont seconded. Motion passed unanimously (3-0).
5. **Change to the By-Laws of the Boothbay Harbor Sewer District** – Trustee Kipp motioned to execute a change to Article I, Section 2.0 to change the regular meetings for the Board of Trustees from the first and third Monday of each month at 5:00pm to the first and third Tuesday of each month at 5:00pm. Trustee Stormont seconded the motion. Motion passed unanimously (3-0).
6. **Execute 2023 Audit Engagement Letter - Ouellette & Associates** – Superintendent commented the auditor will review accounting methods, verify fund balances are correct, verify grant money allocations in accordance with grant conditions, and ensure no theft or fraud has occurred. Trustees discussed the decision to utilize Ouellette & Associates and move on from the prior firm due to timeliness of receipt of the past two years of completed audits. Trustee Kipp authorized new superintendent to sign the engagement letter.

**Correspondence:**

1. **2022 MMBB Report** – Annual Report of Outstanding Debt for Special Districts. Superintendent commented the District's debt is down to ~\$4.2M after paying off two maintenance bonds at the conclusion of 2023. Trustees discussed options for further debt retirement with currently available funds. Superintendent added Hank Farrah Consulting will likely make recommendations following his review of the 2023 budget.
2. **2023 Annual Town Report** – Trustee Kipp expressed his satisfaction with the retiring Superintendent's preparation and presentation of this report. Trustee Hoffman inquired about the ongoing project for odor control. Superintendent discussed the final phase of the odor control program addressing the Headworks Facility to ensure all malodorous sources at the Facility are being scrubbed.
3. **Abatement Request – Theodore Packard – Townsend Avenue** – Superintendent detailed the reason for the abatement related to the failure of a hot water heater and discussed documentation provided to substantiate this claim. Trustee Stormont verified calculations were completed in accordance with routine practices for all Abatement Requests. Trustee Stormont motioned to approve this request. Trustee Kipp seconded. Motion passed unanimously (3-0).

Yes  
RK  
AK

**Executive Session – M.R.S.A. Title 1 Section 405.6.A – Personnel Matters**

1. Trustees entered into Executive Session at 1741. Executive Session concluded at 1757.


**Adjourn Meeting:**

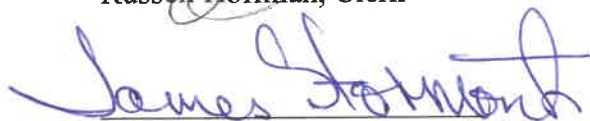
Trustee Kipp asked for a motion to adjourn at 1758. Trustee Hoffman made that motion. Trustee Kipp seconded. The vote to adjourn was unanimous. The trustees adjourned the meeting at 1758 hours.

  
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

