

**DATE: August 8, 2022**

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

Attendees:

Trustees Deryl Kipp, Jim Stormont, Jay Warren – Absent, Superintendent Chris Higgins

**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.

**1. Review and Approve Minutes of July 18, 2022:**

Trustee Stormont made motion to approve the minutes of July 18, 2022, as presented. Trustee Kipp seconded. Vote to approve was unanimous (2-0).

**2. Review and Execute Warrant #1449**

Trustee Kipp made motion to approve Warrant 1449 as presented. Trustee Stormont seconded the motion. Vote to execute was unanimous (2-0).

**3. Execute 60-Day Late Letters: Dexter, Engert, Profit, Russo, and Vise**

Trustee Stormont reviewed and signed the letters.

**4. Execute Demand Notices: Field, Khalsa, and Murray Hill Properties LLC**

Trustee Stormont reviewed and signed the notices.

**5. Execute Lien Discharges: Field III, John E**

Trustee Stormont reviewed and signed the discharge.

**6. Execute Lien Certificates: Nichols, Jeffrey W.**

Trustee Stormont reviewed and executed the lien certificate.

**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, maintenance, and chemical usage for the plant since the last meeting.

- 1. Riparian Rights/Seawall Project Work** – The superintendent reported Wright-Pierce and HB Fleming will be onsite again the week of 8/8 and 8/15 to do some more onsite investigations for the sea wall work.

The superintendent reported a meeting with Me DOT and Wright-Pierce is scheduled for 8/15 to discuss the parameters of the 4.015 million dollar grant for the sea wall work.

- 2. MeDOT Projects** – The superintendent advised no change to the paving work status on Western Ave, Oak Street, and Townsend Avenue.

- 3. DMR QA 42 Audit** – The superintendent reported good test results for five of the six test parameters. Total Residual Chlorine was just low of the acceptable limit of 189 parts per billion. The district reported a value of 185 parts per billion. A retest has been arranged and the district is awaiting the test sample from Sigma-Aldrich.

- 4. Plant Dedication Plaques** – The bust proof of Jolly Arsenault has been reviewed and approved. The plaque should arrive within the next month.

All other operations and maintenance at the plant were routine.

### **B. Collection System Operations**

- The superintendent reported the crew had to remove and clean both pumps and check valves at Atlantic Avenue (PS 02) pump station due to plugging. All other station operation and maintenance was routine. The Footbridge (PS 07) wet well was cleaned.
- The crew responded to 7 Dig Safe requests and nine alarms.
- 2. Personnel** – The superintendent advised no movement on filling the position. All employees have completed their annual safety training for 2022. The Board of Trustees instructed the superintendent to forward them a copy of the superintendent job description to review and revise in anticipation of commencing a job search for the superintendent's position due to impending retirement.
- 3. Odor Issues** – Nothing to Report

4. **Blower Evaluation** – The superintendent reported Wright-Pierce has received the anticipated baseline data for the district's existing blowers. Wright-Pierce can now update the evaluation and submit the updated report to Efficiency Maine.
5. **Manhole Rehabilitation Project – Nothing to Report.**
6. **Fullerton Street/Tupper Road Sewer Project – Nothing to Report.**
7. **Water/Sewer District Consolidation** – Trustee Kipp reviewed the return letter from the water district. The letter (attached) stated the Boothbay Region Water District Board of Trustees voted not to pursue further consolidation talks with the Boothbay Harbor Sewer District. Both, Trustee Kipp and Stormont expressed their disappointment, but were not surprised by the content of the letter.
8. **The First Investment Report for July 2022** – The superintendent distributed the updated report. The market is not performing well, but the CDs are performing well, and the portfolio value increased in July. Report attached.
9. **Website Activity** – The office manager reports emailed billing has saved \$588.80 in postage fees. Direct Debit customers stand at 287, emailed customers at 375, doxo.com users at 133, auto debit customers stand at 30.

#### **New Business**

1. **Certificate of Commitment August 1, 2022, Billing** – Trustee Kipp made motion to commit the invoices of the August 1, 2022, billing to the district treasurer for collection. Trustee Stormont seconded the motion. Vote to commit was unanimous in favor 2-0.
2. **Meeting Date Change** – Trustee Kipp and Stormont set a date of September 6, 2022, as the next meeting date due to the Labor Day holiday. Trustee Stormont advised he will be unavailable from August 18 through August 29.
3. **July 2022 Financial Reports** – The superintendent distributed the financial reports for the period ending July 31, 2022. The superintendent reported all reserve funds continue to be fully funded with the district fiscally sound. The trustees reviewed the reports with no other action taken.
4. **Coastal Carwash Abatement Request** – Ms. Terri Herald submitted a request for an abatement for credit for the billing period April – June 2022, due to sub meter failure on the hot and cold-water lines within the car wash. The superintendent advised the failed meters are the property of the Car Wash. The superintendent advised pursuant to the District's Abatement Policy, the property owner is responsible for the operation and maintenance of meters if used for credit purposes. In addition, the district allows a one-time abatement per the policy. The Car Wash received a one-time abatement on

May 20, 2019, for the same issue of meter failure. The superintendent advised he had no knowledge if Car Wash personnel or other outside contractors maintain the meters.

After discussion, Trustee Stormont made motion to deny the abatement request due to a lack of accurate sub-metered water data and the fact the car wash already received a one-time abatement allowed under the publish policy. Trustee Kipp concurred and seconded the motion advising the district is not responsible for the Car Wash meters. Vote to deny was unanimous 2-0. Trustee Stormont advised the superintendent to recommend to the Car Wash ownership to institute a meter maintenance/replacement program in order to produce reliable meter data for credit purposes.

5. **Maine Municipal Insurance Dividend** – The superintendent reported the district received a \$1,345.00 dividend check from MMA because of good risk management and excellent loss prevention practices. The superintendent asked the Board to consider a safety stipend to the employees in the amount of \$200.00 each and funded from the dividend proceeds. The trustees agreed and Trustee Stormont made motion to issue a \$200.00 safety stipend from the dividend proceeds. Trustee Kipp seconded. Vote to issue was unanimous 2-0.

6. **Water District Minutes of July 12, 2022** – The superintendent distributed a copy of the BRWD July 12, 2022, meeting minutes and called the attention of the Trustees to Item 20 of the minutes:

20. *Trustee Anthony led a discussion concerning PFOA/PFAS expressing concern over contaminated areas in the region where sludge has been used citing the BHSD with documented land contamination and the use of "Nutramulch" (a product using contaminated sewer sludge, mixed with a carbon source, to create compost) at the Coastal Maine Botanical Gardens (CMBG). The board informed the manager to publicly post the results of the upcoming state compliance testing for PFOA/PFAS to be performed by the district.*

The superintendent advised he was quite surprised by allegations contained in the record and was not sure why the BRWD would publish such without documentation. Trustee Stormont advised the passage clearly states the BBHSD has land applied sludge and contaminated area soils. Trustee asked the superintendent if the BBHSD had ever land applied sludge on the peninsula or used Nutramulch. The superintendent replied "no" and advised he was not sure what documentation the passage referred to and further stated "there is no documentation to support that statement." The superintendent advised he believed the Botanical Gardens used Nutramulch. Trustee Stormont advised he found the language defamatory. Trustee Kipp advised without any documentation to support the allegation he found the recording of the passage as part of a public record irresponsible. After discussion, both trustees tasked the superintendent with contacting the BRWD to discuss that matter further and demand the minutes be amended to remove reference to the BBHSD. The superintendent advised he would welcome the opportunity to discuss the matter further with the

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BRWD and, if necessary, attend a Trustee meeting. The superintendent advised he is prepared to submit a FOIA request asking to BRWD produce the documentation it cites in the record.

**Correspondence:**

**Attached letter from Gamage – Water District, Jeff Savastano (Additional Unit for billing), Terry Heald – Coastal Carwash Abatement, MMA Insurance Refund Letter.**

**Public Comment: None**

**Adjourn Meeting:**


Trustee Kipp asked for a motion to adjourn. Trustee Stormont made that motion. Trustee Kipp seconded. Vote to adjourn was unanimous. The trustees adjourned the meeting at 1752 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

Absent

  
Jay D. Warren, Clerk  
James Stormont, Treasurer

