



LISBON WATER DEPARTMENT

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Paul A. Adams, General Manager

Stanley Doughty Jr., Chairman, James Gurney, & William A. Bauer, Commissioners

Commissioners' Meeting Minutes for June 25, 2007

Members Present: Stanley Doughty Jr and William Bauer

Members Late Arrival: James Gurney

Staff Present: Paul Adams, Larry Plourde, and Shellie Reynolds

Audience: Dave Hale and Zachary Moulton

Meeting called to order by Mr. Doughty Jr., at 6:35pm.

I. AUDIENCE PARTICIPATION

A. None

II. WARRANTS

A. Warrant 24 for June 13, 2007-Approved

B. Warrant 25 for June 20, 2007-Approved

III. OLD BUSINESS

A. Reading and approval of minutes:

1. Minutes from June 11, 2007

a. Mr. Bauer made a motion to accept the minutes as written and Mr. Doughty Jr. 2nd the motion with a positive unanimous 2/0 vote.

B. Wellhead Protection

1. Mr. Adams stated that he submitted the inventory of properties to Ferg Lea and they are meeting tomorrow at 10:30am to discuss what else needs to be done to bring the recommendations to the Commissioners. Hopefully, the draft will be ready for the next Commissioners meeting.

C. Mid-Town Plaza Service Main

1. Mr. Adams stated that he sent a letter to Mr. Wood, the owner, stating the intentions of LWD to abandon that main and make it a private service line, which would make the owner responsible for the pipe.

a. Mr. Bauer stated that if we receive a response to the letter that he would like Mr. Adams to request Mr. Wood to come to a meeting to discuss any procedural discrepancies.

2. MSRS-COLA Provision

a. Mr. Adams stated that he presented the COLA compensation options to the employees as they requested. Mr. Plourde and Ms. Reynolds were in attendance to discuss Option #1 prior to making their selection.

b. Ms. Reynolds inquired if the 1.3% COLA cost will be assessed in every annual pay raise.

- i. Mr. Bauer stated that it was his understanding that the adjustment to pay raises would only happen this year to defray the initial expense to the Water Dept. and Mr. Doughty Jr. concurred, but they did not know Mr. Gurney's intentions.
 - ii. Mr. Doughty Jr. stated that the insurance premium may go up as the cost of insurance rises. Ms. Reynolds stated that that was understandable.
 - iii. Mr. Doughty Jr. stated that they did not do a 1% for the COLA but, that there was a 1% increase on the employee share on the health insurance. If you chose the COLA option the amount of the raise was adjusted to absorb the cost.
 - iv. Mr. Bauer stated that they will also be considering the wage salary survey recommendations that Mr. Adams had presented to them at the last meeting.
- c. Mr. Plourde and Ms. Reynolds stated that if it is only a one time raise deduction that they would agree to choose the COLA option.
- d. Mr. Bauer stated that he cannot guarantee what will happen next year. He said that LWD employees are able to collect 100% of both MSRS and Social Security when we retire; but some MSRS employees can't, himself included, even though he contributed to both.
 - i. Mr. Plourde stated that he would be able to get some portion of Social Security that he paid in. Mr. Bauer stated that the amount was minimal.
 - ii. Ms. Reynolds stated that she would not choose the COLA option if they could not guarantee that they would not reduce our raises, as she did not wish to contribute more than the 6.5% of her wages to MSRS.
 - iii. Mr. Bauer stated that he felt MSRS was a better retirement plan than FICA. Ms. Reynolds agreed but stated that we don't have any control of what we pay in to FICA. Mr. Bauer agreed but stated that the retirement option should be one or the other and not both, but the Federal Government is involved so it is a poor set-up by the employees paying in to both.
 - iv. Mr. Plourde stated that he was for the COLA option if the Commissioners' could guarantee that it was only a one shot deal. Mr. Adams stated that we need to remember that nothing is guaranteed as the "Commissioner" positions are not permanent and that there is no way to know what their successors will do. Mr. Plourde agreed with this, but would like some assurance.
- e. Mr. Doughty Jr. asked if we wanted to wait until the next meeting and Ms. Reynolds agreed that it would be a good idea in order to confirm Mr. Brunelle's wishes and Mr. Bauer would like to check with Mr. Gurney as well.
- f. Mr. Bauer stated that he did not think that they would need to vote on this issue and then when the employees come to a decision they can implement the raises. Ms. Reynolds stated that they would need to vote on the COLA issue as MSRS would require a copy of the minutes stating the Commissioners decision. Mr. Bauer said that they would vote on it at the next meeting.
- g. Mr. Adams stated that they may need to have a vote tonight if they want to put COLA in place for this July or they can wait until next year.
- h. Mr. Doughty Jr. and Mr. Bauer will wait to see if Mr. Gurney will be in attendance later tonight. If Mr. Gurney does not come prior to the end of the meeting, then Mr. Doughty Jr. and Mr. Bauer will vote on the COLA issue.

D. Tabled Items

1. Backflow Device Certification-Tabled until August.

- a. Mr. Plourde stated that he read the minutes from the last meeting and he felt that because he has the opportunity to retire if he wishes, he was passed over for the Backflow Device Certification. He stated that he does not have any intentions of retiring anytime soon, and that he would like to do the Certification program. He inquired if the Commissioners or Mr. Adams would like him to retire.
- b. Mr. Bauer, Mr. Doughty, and Mr. Adams agreed that they would not like to see Mr. Plourde retire until he is ready to retire. The Commissioners stated that they feel that he is a vital part of the Water Dept. and they would like to see him stay well into the future.
- c. The Commissioners stated that they postponed the certification program because they did not want to pay all the expenses associated with the class being held in Bangor. They will wait until another class is held closer to Lisbon Falls.
- d. Mr. Bauer stated that he feels the State has made it very difficult to make this program work without a huge expense.
- e. Mr. Bauer stated that he would see Craig Douglas tomorrow and he would discuss the new changes with the backflow procedures.

2. Maine Electronics Building-Tabled

3. Dragon Property- Tabled

- a. Mr. Adams stated that as requested, he sent an e-mail to the Town Manager requesting to be included in the agenda for the first Town Council meeting in July, after 7:30pm. He has not received a response.

4. Executive Session- Waiting on Mr. Levy with MRWA.

- a. Mr. Plourde suggested that Maine Municipal has a legal department and that maybe we could ask their opinion on it.
- b. Mr. Reynolds stated that she had attended a training last Thursday and Chris Simpson, who handles the legislative side of the PUC, said that he might be able to help us if we send the question to him via e-mail.
 - i. Mr. Adams would like to see if Mr. Simpson could attend a meeting.

E. Other Old Business

1. Arsenic Issue

- a. Mr. Adams stated that the arsenic disposal issue is becoming more urgent as there have been no responses from anyone that we have called about disposal. The wastewater treatment facility clarifier is still inoperable, so the sewer is not able to take any sludge at this time. Mr. Plourde stated that he did not think that they would be able to take any LWD sludge at all this year.
- b. Mr. Doughty Jr. inquired if there is anyone who will come get the sludge and both Mr. Adams and Mr. Plourde stated that none of the companies we have contacted have returned our calls.
 - i. Mr. Plourde stated that he had spoken with 3 different sites that will take the waste for \$3/gal and they are in Massachusetts, Connecticut, and New Jersey. The \$3/gal does not include transport costs. He has not had a response from anyone.
 - ii. Mr. Adams, Mr. Bauer and Mr. Doughty Jr. all agree that LWD should discuss the issue with Wright-Pierce, which Mr. Bauer will do tomorrow. They feel that Wright-Pierce should help us resolve this issue as they designed the plant.

- iii. Mr. Adams stated that at the last meeting with the Town, there were two gentlemen from the EPA and they said that they have dealt with two places that have arsenic waste and they said that they were doing a solid conversion by adding polymers to the liquid, pressing it into a cake, putting it into drums and then disposing it. It is much easier to dispose when it is a solid. Mr. Adams stated that it is another process with more chemicals, which would make our facility change from a Class II system to a Class III system.
- iv. Mr. Plourde stated that the sludge judge, used to gather samples, is standing up by itself as the sludge has become so concentrated.
- v. Mr. Doughty Jr. asked how much time we have before we need to dispose of the sludge. Mr. Plourde stated that we should have been getting rid of it before now. The longer we hold it, the more concentrated it becomes, which results in a more costly and difficult disposal process.
- vi. Mr. Bauer asked if we had consulted with Clean Harbors. Mr. Plourde stated that we had and that they had actually come to the filtration plant and took a T-CLP sample. When Mr. Plourde had not heard any feedback about the sample he called them and they had no recollection of our request or of the sample.
- vii. Mr. Doughty Jr. stated that he thought that after the last meeting with Wright-Pierce that they were going to do another T-CLP test. Mr. Adams and Mr. Plourde both stated that they had not done a sample for the test to their knowledge and they have not gotten back to us with any results if they did. Mr. Bauer will ask Mr. Douglas tomorrow.
 - a. Mr. Plourde explained that the T-CLP shows what strength of the arsenic is staying bound to the iron and manganese. If the arsenic does not stay bound then it is harder to dispose of.
- viii. Ms. Reynolds stated that in her training on Thursday, she had spoke with Tera Pare from the State and she had asked her if she had been hearing of arsenic disposal problems. Ms. Pare said that she had and that if I sent her an e-mail she may be able to put me in touch with someone who could help us.

IV. NEW BUSINESS

A. General Manager's Report

1. Frequency Issue

- a. Mr. Adams stated he had a request from Radio Communications to shut off our radio frequency for the SCADA system as they were troubleshooting a complaint from a client. They said that they believe that our SCADA was interfering with their client's frequency. He consulted with the company that installed the SCADA system and told him to go turn off the radios and see if that stops the interference and he did as he was directed and it proved that we are the interference.
- b. He called the company that installed the radio equipment and they will either file for a new frequency or reduce the power that is output by our system, but they will get back to us. Mr. Adams stated that he wished the person with the interference problem had called us sooner.
- c. Mr. Bauer asked why we had to change our system.
 - i. Mr. Adams stated that the FCC Rules state that because we had attained our license after the other party and we are causing the interference then we had to make the change. He also stated that there

may have been something overlooked in the research stage of obtaining our license.

- d. Mr. Bauer requested that we monitor all future bills to the radio installation company prior to paying any amounts as he does not feel this is our liability.

2. Increased Insurance Rates

- a. Mr. Adams stated that he received his annual assessment from the PUC, the Public Advocate, and the property and casualty liability insurance from MMA. All premiums had at least doubled from the previous year.
- b. The Commissioners asked why they doubled.
 - i. Mr. Adams stated that the PUC said that they used to have a surplus that would offset fees, but the surplus has been exhausted and that as part of the formula they use to figure the fee they take into consideration how much time was spent on each utility and this year the most time was spent on water issues, which results in higher fees for our utility. It is also based on revenue, which has gone up because our rates were increased to cover expenses.
 - ii. He also stated that the MMA premium went up because our assets went up due to the new buildings.

B. Other New Business

1. On Call Duty Issue

- a. Mr. Plourde stated that he is taking time off for the July 4th week and he is scheduled for on-call duty. He does not think it is right that he is on call on his vacation. He said that he would do it if he has to, but if he is gone somewhere that he can't meet the 30 minute response time then he would like to have someone back him up. He thought that Mr. Brunelle would be part of the rotation schedule by this time, but he is not because in the last minutes it was stated that only Class II licenses or higher could do on call duty.
- b. Mr. Doughty Jr. asked if Mr. Lawton could switch with him and Mr. Plourde stated that if they were to switch then it would mess up Mr. Lawton's vacation.
- c. Mr. Doughty asked Mr. Adams if he was willing to take Mr. Plourde's on call duty with adequate compensation and Mr. Adams replied that they could discuss it.
- d. Mr. Doughty Jr. asked if Mr. Adams would need some hands on training for the new facility and he said he would need to be shown the sampling routine.
- e. Mr. Plourde stated that he would be able to do the pump labor, but he would like someone to back him up if he was unavailable. His main concern would be July 4th as he has plans that would be farther than 30 minutes away. Mr. Adams stated that he would be available if he was needed.
- f. Mr. Bauer asked if Mr. Brunelle would be qualified to notice if there were issues, but not alarms, and to know to call for assistance. Mr. Plourde and Mr. Adams were not confident that he would be ready for that yet. Mr. Doughty Jr. was not sure that the new law would permit Mr. Brunelle to do that.
- g. Mr. Doughty Jr. stated that LWD would compensate Mr. Adams 2 hours for on call duty if he was needed.
- h. Mr. Bauer suggested that perhaps one person from each Water Dept. rotate to cover on call duty for several areas at once. Mr. Doughty Jr. and Mr. Plourde both did not see that as a good idea as there may be an issue with more than one water company at once.

- i. Mr. Hale asked if the lower license could just shut down the well that had the issue and Mr. Adams stated that he did not think that would be acceptable.
- j. Mr. Bauer stated that as long as there was enough water in the storage tanks that there would not be an issue.
- k. Mr. Doughty Jr. stated that it would be alright as long as all the injectors shut down as well and did not continue to pump chemicals into the system. He heard of a lye issue where the pump was shut down but the lye injector continued to pump lye into the water supply and people had gotten third degree acidic burns in the shower, because someone forgot to reset the alarm for the water to come back on.
- l. Mr. Bauer stated that there are several people in town that have adequate licenses such as Mr. Douglas and Mr. Doughty Jr. that LWD should be able to come up with someone to cover in these situations. Mr. Doughty Jr. stated that as long as Mr. Adams is an employee and that if he was willing to cover the hours with compensation he is already familiar with the system.
- m. Mr. Adams stated that he was requesting the Executive Session for himself for this meeting and he would like to discuss the issue at the same time.

C. Other Old Business

1. MSRS-COLA Issue

- a. Mr. Plourde requested that the Commissioners vote on the Maine State Retirement COLA provision.
- b. Mr. Bauer made a motion to enter into the MSRS-COLA Provision effective immediately. Mr. Doughty Jr. 2nd the motion followed by an affirmative 2/0 unanimous vote. Mr. Gurney was not present at this time.
 - i. This makes Option 1 the employees' choice for the pay increases for 2007.
- c. Mr. Gurney is now present after the vote.
 - i. Mr. Bauer asked Mr. Gurney if he agreed with him and Mr. Doughty Jr. to adjust pay increases this year only for the COLA provision to offset the cost of the adoption and, that they will not adjust future pay increases to pay for the COLA option. Mr. Gurney agreed that LWD would be absorbing the cost beginning next year and COLA would be part of their benefits paid by LWD.

V. NEXT MEETING DATES

- A. Next Meeting date is for Monday, July 9th, 2007 at 6:30pm.

VI. EXECUTIVE SESSION

- A. Mr. Doughty Jr. quoted MRSA Chapter 13 Sec. 405 (6) for Personnel for Mr. Adams and that Mr. Adams was present.
 - 1. Mr. Gurney made a motion to enter into executive session citing MRSA Chapter 13 Sec. 405 (6). Mr. Bauer 2nd the motion followed by an affirmative 3/0 unanimous vote.
- B. Mr. Adams stated that at 8:20pm the Board voted to leave executive session.
 - 1. Mr. Bauer stated that the reason for Executive Session was to enter into negotiations.

VII. ADJOURNMENT

- A. Mr. Bauer made a motion to adjourn and Mr. Gurney 2nd the motion followed by an affirmative 3/0 unanimous vote. The meeting adjourned at 8:21pm.