



LISBON WATER DEPARTMENT

639 Lisbon Road

Lisbon Falls, Maine 04252

Tel. (207) 353-3020 fax (207) 353-3004

Paul A. Adams, General Manager

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

Commissioners' Meeting Minutes for July 23, 2007

Members Present: Stanley Doughty Jr, James Gurney, and William Bauer

Staff Present: Paul Adams

Audience: Dave Hale, Ferg Lea of AVCOG, Dale Crafts, and John Wood for Mid-Town Plaza

Meeting called to order by Mr. Doughty Jr., at 6:30pm.

I. AUDIENCE PARTICIPATION

A. Mid-Town Plaza

1. Mr. Wood explained that he had received a letter from Lisbon Water Dept. in regards to LWD wishing to abandon the water main that runs through Mid-Town Plaza. He stated that he had spoken with Mr. Adams about it, but that he still had some concerns he wanted to address with the Commissioners.
 - a. He agrees that if it is not needed then it does make sense to shut-off the main. However, he is not sure where this leaves him as an owner. The easement has provided LWD with this right for more than 30 years and now that it has become a liability and not a necessity, the line becomes his problem and he was not satisfied with this outcome.
 - i. LWD said that one alternative was that the water would be turned off at the hill and that he could run a whole new service to the Plaza. He feels this is not the best option for relations. He suggested putting in a shut-off after his service and then turning the valves off for the remaining length of pipe. He feels that this option would benefit them both of them and that if LWD needed to utilize that main again it would be available.
 - ii. Mr. Gurney explained that the pipe was originally put in place by Mr. Huston and then LWD reimbursed him for the expense, which makes the main a LWD asset and liability. Furthermore, he stated that when LWD abandons the line then it becomes the customer's private service and as with all other service lines, LWD does not have any responsibility on the customer's property. He feels this should be the same.
 - iii. Mr. Bauer doesn't feel LWD would need or utilize the line as it is too small. He also stated it was his idea to abandon the line; to either take out the line or cap it off, so that it is not the rate payers' liability any longer.
 - a. Mr. Wood agreed that it was a good decision to cap off the line and that his responsibility would begin at Frost Hill to the Plaza.

- b. The Commissioners agreed that LWD would do all the work and absorb those costs.
- c. Mr. Wood asked what he would need to do. Mr. Adams stated that the water would be shut-off on two different days, one day to do the cap, and another to install the shut-off. Mr. Adams would like him to give the tenants notice.
- d. Mr. Adams asked about replacing pavement in the right-of-way and Mr. Wood stated that they had just filled holes and that hopefully they would not have to dig-up the new pavement.
- e. Mr. Wood' concern was that he would have to pay to dig up the line and all the work associated with capping the line. He was very satisfied that the Water Dept. will be handling it.

B. Wellhead Protection

- 1. Ferg Lea presented an edited draft of the proposed Wellhead Protection Ordinance. He feels it may be ready to take to the Town Planning Board for preliminary review. He stated that Mr. Maloney, a co-worker with AVCOG, mentioned to him that the ordinance should be incorporated with the existing land use ordinance as it may be better received and that it may not get overlooked.
- 2. Mr. Lea briefly went over some modifications such as Zone #3 changes, Zone #2, and Zone #1 and some additions for detail throughout.
 - a. He recommends prohibiting feed lots and flooding of mined land and moving the gravel pits to the conditional category. The Commissioners agree with Mr. Lea.
 - i. Mr. Gurney inquired about the sand pile that is at Public Works; he thought that there was a law that required them to cover the pile as it contains salt. Mr. Lea stated that the law has a priority list and that because municipalities are so low on the list that they kind of give them an exemption until they make it to the bottom of the priority list or if the salt becomes a problem in that area.
 - ii. Mr. Hale stated that they do have a ground cover under the pile to try to prevent some of the leaching.
 - b. Mr. Lea also added specific language that requires that all applications for conditional use should be forwarded to the Lisbon Water Dept. for review 14(fourteen) days prior to the meeting of the planning board and that the Water Dept. will be first on the agenda. He also states that the planning board shall fully consider all comments provided by the Water Dept. pertaining to impacts on water quality or quantity and the use of best management practices to prevent or mitigate potential impacts.
 - c. Mr. Adams confirmed that Mr. Lea was changing Zone #3 to Ground Water Protection Overlay and Zones #1 and #2 are changed to Wellhead Protection Areas in order to incorporate the ordinance into the Town's current ordinance.
 - d. Mr. Lea recommended changing the minimum square feet of a multi-family lot that does not have public water and sewer from 45,000sqft to 60,000sqft to conform to what is required of single family lots. He said that the State requires between 1 and 2 acres to dilute nitrates. He also made some provisions for road frontage and exceptions if needed in all protection areas.
 - e. He touched on each type of land use and the standards that they have to meet.
 - f. He made format changes to make the ordinance easier to read and navigate for some sections.

- g. He addressed storm water, fuel storage section, gravel pit items, and inventory items.
- h. He stated that he removed the retroactive actions for existing businesses, but that any further increase in size or use must conform to the new ordinance.
 - i. Mr. Gurney questioned the removal of part of the ordinance involving entry into people's property for inspection at the will of LWD or the code enforcement without permission as it was probably not legal. You can't just enter someone's property without a warrant. You would need to go through a lawyer, which would be utilized upon suspicion.
 - ii. Mr. Lea stated that he has pamphlets that explain ground water and the protection of it; he recommends going to the businesses, that have potential threats to the water source, and discussing the necessity of their compliance to the best management practices in the ordinance. He also mentions addressing the size of an improvement that would require review.
 - a. Mr. Gurney and Mr. Hale requested if it would be unreasonable to ask for a 90 day suspension to allow for review or action. Mr. Lea feels that prohibiting or suspension may not be received well, but requesting a 90 day review period might be.
 - iii. Mr. Lea asked Mr. Adams to review the definitions in the ordinance and the Town's definitions to see if there are any discrepancies.
- i. Mr. Lea stated that, upon the modifications, the ordinance would be ready to present to the Town's Planning Board. Mr. Adams stated that they were probably too late for this month, so they should plan on next month's meeting at the end of the month once the Commissioners agree to do so.
 - i.

II. WARRANTS

- A. Warrant 28 for July 12, 2007-Approved
- B. Warrant 29 for July 19, 2007-Approved

III. OLD BUSINESS

- A. Reading and approval of minutes:
 - 1. Minutes from July 9, 2007
 - a. Mr. Gurney made a motion to accept the minutes as written and Mr. Bauer 2nd the motion with a positive unanimous 3/0 vote.
- B. Arsenic Disposal Issue
 - 1. Mr. Adams stated that he had met with a gentleman who is a member of the DEP in Buxton. They visited a facility similar to our system; they add sodium hypochloride which helped them identify that they had an arsenic issue. They add a polymer to the sludge and put it in a storage tank to let the waste flocculate and settle out. Then they pump it out to a press that presses out the waste water and the solid goes to a drum. They utilize this process once a month and when they get around six to eight barrels they ship it out to Norridgewock. This waste is not considered toxic, but it does require some special handling because of the arsenic.
 - 2. Mr. Adams said that LWD received the results of the TCLP test and it came back as "Non-detect", which means that there is no leaching of the arsenic from the iron that it is attached to.
 - a. He said that they have talked to Clean Harbors and they consider it a grit from the wash basin. They said that they let the grit settle out and if needed they have a tank that they can provide for \$19/day if we don't have the storage. Mr. Adams

believes that with the process we use Clean Harbors can just pump it out. To pump and rent the tank would be about \$700-\$800. To remove the liquid is \$.52/gal. To remove the solid it would be a minimum of \$150 or \$55/ton, whichever is greater.

- i. Mr. Bauer asked how large the tanks were and Mr. Adams stated that he thought they were about 7,000 gallons, but mentioned that we would not be pumping the whole 7,000 gallons.
- ii. Mr. Adams recommended that we have Clean Harbors come and do it one time because we need to have it done soon and then we would have an idea how much it would cost.
 - a. Mr. Gurney asked what we are pumping and how much. Mr. Adams stated that we are not sure what they will need to pump, which means we may need to utilize the holding tank from Clean Harbors as the tank we are utilizing is so full and concentrated that the pump moves the sludge constantly, not allowing the sludge to remain settled. Mr. Hale asked if LWD had a second tank to use, which would allow the solids to settle to the bottom of the first tank to be able to have it pumped. Mr. Adams stated that we do have a second tank, but we have not used it to keep it clean so that if the Sewer Dept. ever gives the go ahead to start dumping sludge again, we would have the lowest level of arsenic possible and hopefully that would allow us to continue with the Sewer Dept.
 - b. The Commissioners decided to utilize the second decant tank to let the sludge settle in the first and then have Clean Harbors come and pump the sludge.
 1. Mr. Bauer made a motion to use the second decant tank to allow the sludge to settle out in the first tank and then have Clean Harbors come and pump it out. Mr. Gurney 2nd the motion followed by a positive unanimous 3/0 vote.
 - c. Mr. Gurney asked Mr. Adams if he knew when the Sewer Dept. will have the clarifier fixed and Mr. Adams did not know.

C. Radio Interference

1. Mr. Adams stated that the meeting, with TCS Communications and the company that contacted us about the frequency problem, will be tomorrow. He said that he received an e-mail from the gentleman with TCS and he said that we should have spare parts and that we should have some training on programming and diagnostics of the SCADA Radio System. Mr. Adams stated that he has not had a chance to speak with Mr. Douglas about the spare parts or the training. He feels that they are trying to sell us something that we may not need, but he will find out.

D. General Manager's Pay

1. Mr. Adams said that after last meeting that there was no vote for the General Manager's pay and Ms. Reynolds requested that they make his pay official. The other employee pay rates were approved at the June 25th Commissioners' Meeting by the approved motion for Option #1.
 - a. Mr. Doughty Jr. made a motion to install an \$1,100 plus the COLA provision wage increase for the General Manager's pay. Mr. Bauer 2nd the motion followed by a positive unanimous 3/0 vote.

- E. Dragon Property
 - 1. Mr. Bauer stated that he has not heard back from the Town Council concerning the property. He said that he thought that they were in support of the LWD.
 - 2. Mr. Gurney stated that he thought they approved the appraisal but that they wanted written documentation for the Town to have first refusal on the property prior to having the appraisal.
 - 3. Mr. Bauer asked Mr. Adams to contact Dragon and request the agreement and that it would need to be to the Town of Lisbon and not the Water Dept. as LWD can't own or buy property.
- F. Tabled Items
 - 1. Backflow Device Certification-Tabled until August.
 - a. Mr. Gurney asked if we knew who distributes the list of locations for the training and Mr. Adams said that it could be any one of the Water Associations, and that he did not know when the next local class will be or where.
 - 2. Executive Session- Waiting on Mr. Simpson from the PUC
 - a. Mr. Adams stated that we sent the e-mail to Chris Simpson, the gentleman that Ms. Reynolds had training with, but we have not heard back yet.
 - 3. On Call Duty
 - a. Mr. Gurney stated that in the last minutes there was a discussion about the on call duty issue being compromised by the arsenic disposal due to unknown expenses associated with the arsenic. He feels that now that we have some idea what the cost will be for the arsenic that we should be able to figure something out for this issue. He would like to address this at the next meeting.
- G. Other Old Business

IV. NEW BUSINESS

- A. General Manager's Report
 - 1. None
- B. Other New Business
 - 1. Mr. Gurney stated that he would like to address Mr. Adams concerning the Class IV license. He said that when Mr. Plourde had pursued his Class IV license that the Water Dept. would not pay for a Class IV license as the Water Dept. doesn't need a Class IV license, so they will not support Mr. Adams if he chooses to pursue this.
 - 2. Mr. Adams asked if the other Commissioners feel the same and both of the other Commissioners agreed with Mr. Gurney.

V. NEXT MEETING DATES

- A. Next Meeting date is for Monday, August 13, 2007 at 6:30pm.
 - 1. Mr. Bauer asked if they would like to make Monday the permanent day for the meetings. The Commissioners agree to meet on Mondays at 6:30pm. Mr. Adams asked if we should change the website and all other notices and they agreed to do this.

VI. EXECUTIVE SESSION

- A. None

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 8:25pm.