

**Bangor Water District
Board of Trustees**

**Minutes of the
Regular Monthly Meeting
March 15, 2016**

The regular meeting of the Bangor Water District Board of Trustees was held at 3:45 p.m. in the Hughes Building, 614 State Street. Present were:

Ralph Foss
Rick Fournier
Patricia Hamilton
Gerry Palmer
Robert Sypitkowski
Dan Wellington

being more than a quorum of Trustees. Absent: Trustee Lawler. Also in attendance: General Manager Moriarty, District Engineer Pershken, Finance Manager Bailey, and representatives from the Maine Municipal Association. The clerk kept the minutes.

Staff recognition: Taking the agenda out of order, Lab Technician Hartery was recognized for 25 years of service at Bangor Water.

I. **Public Comment Period:** None.

Maine Tort Claims Act: Taking the agenda out of order again, Marcus Ballou and Chris McCauley from Maine Municipal Association Risk Management Services attended. Ballou discussed how MMA adheres to the Maine Tort Claims Act which grants immunity to municipal entities for many events (such as property damage resulting from a water main leak), and to a statutory cap of \$400,000 for claims. He said there has to be a negligent act on the part of the municipal entity for there to be a valid claim. He encouraged employees to be courteous to customers but to let homeowners know they should contact their insurance for water main breaks, and the District should file a claim with MMA. Additional training for employees on mitigating risks and handling claims was discussed and will be scheduled.

Minutes: The minutes of the annual and regular February meeting, and the February workshop, were accepted as presented.

Treasurer's Report: Bailey said February expenses were down due to a milder than usual winter (lower heating costs, less plowing, and fewer leaks). After several questions, the Treasurer's Report was accepted as presented.

Progress Report: as presented.

II. Old Business:

Meeting with City Council: Moriarty reviewed the information presented to the City Council on infrastructure investment and the 2016 rate case, as well as the University of Maine visual arts project which will be part of the Thomas Hill Standpipe Tour in May.

Rate Case Preparation: Moriarty reviewed

- the reasons for the rate change (increased money for infrastructure work and debt service on money borrowed for infrastructure work)
- the effective date of July 1, phased in over 90 days
- the monthly impact on customers (an increase of 55 cents per month on a minimum bill and 88 cents on the average residential bill)
- the Maine Public Utilities Commission requirements for rate changes (customer notification and public hearing)
- the fact that even with the rate change, Bangor Water will have the 20th lowest rate out of 152 Maine water utilities

After discussion, it was upon motion being made and duly seconded, unanimously

VOTED: to authorize the 2016 filing with the Maine Public Utilities Commission of a \$6104 request for a 4.5 percent increase in rates and a 4.5 percent increase in public fire protection revenues, with a proposed effective date of July 1, 2016.

III. New Business

Bond Counsel RFP: Bailey reviewed the three RFP's received, and based on the proposals for Bangor Water's 2016 planned borrowing, it was upon motion being made and duly seconded, unanimously

VOTED: to accept staff recommendation of Bernstein Shur.

2015 annual report: distributed for review, comments due in one week.

2016 newsletter and water quality report: distributed for review, comments due in one week.

Construction materials bid: Moriarty reviewed the bid results, noting that Bangor Water continues to require "no lead" materials in its specifications. After discussion, it was upon motion being made and duly seconded, unanimously

VOTED: to award the bid to the lowest bidder on each line item, for a total of \$58,974.

Hammond Street water line renewal bid: Pershken reminded the Board of the project which runs between Union and Ohio Streets, to be completed in two phases and replacing c. 1897 pipe. The bids were higher than anticipated due to the short time frame and the need to provide temporary water to customers during the project. After discussion, it was upon motion being made and duly seconded, unanimously

VOTED: to award the bid to Lou Silver Construction as the low bidder.

Union Street water line renewal bid: Pershken reviewed the project which extends from the I-95 bridge to Vermont Avenue, and noted that a bid alternate to address an old valve pit was included. He reviewed the bid document relative to awarding the project, and recommended 1) awarding to Eastwood Contractor as low bidder on the base bid; 2) negotiating with Eastwood re items in bid alternate, and 3) only completing items in the base bid if negotiations were not successful. It was after discussion unanimously
VOTED: to accept staff recommendation.

Lead and copper rule update: Moriarty noted the interview done with USA today, and the Freedom of Information request from the Guardian which had been answered.

Award: Board members acknowledged General Manager Moriarty's receipt of the President's Award from the Maine Water Utilities Association at its annual conference.

Hearing no further business to come before the meeting, it was upon motion being made and duly seconded, unanimously
VOTED: to adjourn at 5:33 p.m.

Dan Wellington, clerk

Ralph Foss

Richard Fournier

Patricia Hamilton

Gerry Palmer

Robert Sypitkowski