

**Bangor Water District  
Board of Trustees**

**Minutes of the Annual and Regular Meetings  
February 10, 2019**

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

Ralph Foss  
Rick Fournier  
Laurel Grosjean  
Patty Hamilton  
Gerry Palmer  
Robert Syptkowski  
Dan Wellington

being more than a quorum of Trustees. In attendance: General Manager Moriarty, Finance Manager Bailey, District Engineer Soucier, Office Manager Marchegiani, and representatives from the Silver Maple wind farm development. Mike Timpson, a member of the public, observed the meeting.

**Annual Meeting**

**Election of Trustee Positions:** Following nominations from the floor, it was upon motion being made and duly seconded, unanimously

VOTED: to elect Trustee Palmer as chair, Trustee Foss as vice-chair, and Trustee Wellington as clerk.

**Appointment of Officers:** Following nominations from the floor, it was upon motion being made and duly seconded, unanimously

VOTED: to re-appoint Moriarty as General Manager and Finance Manager Bailey as Treasurer.

**Check signing authority:** Moriarty explained that the chair typically serves as the third authorized signatory on the District's checking account, to be utilized in the absence of the General Manager or the Finance Manager to sign checks over \$10,000 (two signatures required). Bailey will provide paperwork to Trustee Palmer for completion.

**Conflict of Interest Forms:** Moriarty distributed the forms to the Trustees and asked that they be returned to her when completed.

Hearing no further business to come before the annual meeting, it was upon motion being made and duly seconded, unanimously

VOTED: to adjourn the annual meeting and convene the regular monthly meeting at 3:53 p.m.

## **Regular Meeting**

I. **Public Comment:** None.

II. **Administrative:**

**Minutes:** The minutes of the January meeting were approved.

**Treasurer's Report:** Bailey noted a revenue change due to reclassification of several hydrants from private to public. After discussion, the Treasurer's Report was accepted as presented.

**Progress Report:** After questions, the progress report was accepted as corrected.

**Silver Maple Wind Farm (SWEB) easement:** Taking the agenda out of order, Moriarty presented amendments to an easement provided in 2017 related to access by Bangor Water over SWEB land should the need arise. She said the amendments had gone back and forth between the parties and legal counsel, and were now in final form. After review and discussion, it was upon motion being made and duly seconded, unanimously  
VOTED: to approve the easement amendments as presented.

III. **Old Business:**

**Engineer's Report:** Returning to the order of the agenda, Soucier presented updates on 2019 infrastructure projects. She said the Main Street (Dutton to Hampden line) work will now be bid as part of a joint project with the City of Bangor, due to necessary sewer work before paving. Soucier also briefly reviewed the System Infrastructure Assessment report, a summary of condition of the utility's infrastructure; this is required by the Maine Public Utilities Commission in order for Bangor Water to be allowed to fund a capital account for infrastructure improvements.

**Workforce Planning:** Moriarty said the Construction Department was fully staffed for the first time since a series of retirements began last year. Additionally, the Engineering Department will be filling a full-time position of inspector/technician.

IV. **New Business:**

**CDC Research:** Moriarty said she and Trustee Hamilton attended a Drinking Water Program presentation on fluoride. She noted inconsistencies among regulatory agencies regarding technical guidance, and the issue of non-tested private wells.

**2018 leak summary:** Moriarty summarized the year's 30 leaks (Bangor Water averages 30 non-contractor-related leaks per year). Fifty-four percent of the leaks occurred on pipes over 75 years old, and the utility incurred \$153,000 in repair costs.

**Water Consumption:** Moriarty reported a 1.2 percent decrease in water consumption annually over the last 20 years (residential customers use an average of 37 gallons less per day than 20 years ago). Several reasons were discussed including small household sizes, declining population, and water-saving devices.

**Commitment of bills for collection:** The Board considered its annual action to assist in the collection of water bills, and it was upon motion being made and duly seconded, unanimously VOTED: to certify and commit to the Treasurer of Bangor Water a list of water rates established by Bangor Water and approved by the MPUC for locations required by local and State law to pay a water rate to the District, **for the period from March 1, 2019 to February 29, 2020**, and as reflected in each District billing register. The Treasurer is hereby required and authorized to collect the amounts listed and approved interest by any means legally available under law.

**Vehicle bids:** Moriarty presented the bids to replace two vehicles as approved in the capital budget. After review, it was upon motion being made and duly seconded, unanimously VOTED: to award the bid to the two lowest bidders meeting specifications.

**Approval of MMBB loan:** In preparation for funding ozone plant upgrades and other infrastructure projects, the Board considered a loan through the spring issue of bonds by the Maine Municipal Bond Bank. After discussion, it was upon motion, being duly made and seconded, unanimously

- VOTED:
- (1) That, pursuant to authority granted by the Charter of the Bangor Water District and any other applicable law, the Board of Trustees of the Bangor Water District hereby authorizes and directs the Treasurer and Chair of the Board of Trustees to apply to the Maine Municipal Bond Bank for a loan of up to \$2,249,780 of permanent financing to fund Union and Fourteenth Street Main Replacement, Ozone Upgrade, and various piping projects (the "Project"), said funding to include design and construction costs, transaction costs and any other costs reasonably related to the Project.
  - (2) That the District Treasurer and Chair of the Board of Trustees are hereby authorized to sell, execute and deliver to the Maine Municipal Bond Bank a Revenue Obligation Bond of the District (the "Bond") in an aggregate principal amount not to exceed \$2,249,780.
  - (3) That the Bond is to be sold upon such further terms and conditions and at such interest rates as may be approved by the District Treasurer and Chair of the Board of Trustees, not to exceed 21 years from date of issue, and is to be attested by the District Clerk. The Bond may be issued with or without call or early redemption provisions, and any such early redemption may be with or without premium (but not to exceed 5% of the principal amount of the call), as may be approved by the Treasurer and Chair.
  - (4) That the Board of Trustees hereby confirms its determination that the term of the Bond does not exceed 120% of the economic life of the Project.
  - (5) That the Board of Trustees hereby irrevocably pledges the user fees, rates, assessments and other charges of the District for the payment of the debt service on the Bond.
  - (6) That the District Treasurer and Chair of the Board of Trustees are hereby authorized to execute and deliver a Loan Agreement with the Maine Municipal Bond Bank in such form as the Maine Municipal Bond Bank shall require.
  - (7) That the District officers and officials are hereby authorized to execute and deliver any and all documents and certificates, and to take any and all actions, as may be necessary or convenient to carry out the full purport and intent of the foregoing orders, or any one of them.
  - (8) That the Bond to be issued to the Maine Municipal Bond Bank is hereby designated a "qualified tax-exempt obligation" under the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

**Board Correspondence:** Moriarty reminded the Board of a workshop session on Feb. 28 to review financials related to a possible rate case.

Hearing no further business to come before the meeting, it was upon motion being made and duly seconded, unanimously

VOTED: to adjourn at 5:18 PM.

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Dan Wellington, clerk

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Ralph Foss

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Rick Fournier

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Laurel Grosjean

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Patty Hamilton

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Gerry Palmer

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Robert Sypitkowski