2009

JOURNAL

Maine Water Utilities Association

ORGANIZED 1925

NATGUN

Group portrait

We waited for a nice, sunny day to take a group photo of the Bowdoinham, ME tank maintenance crew. Fortunately, they all showed up.

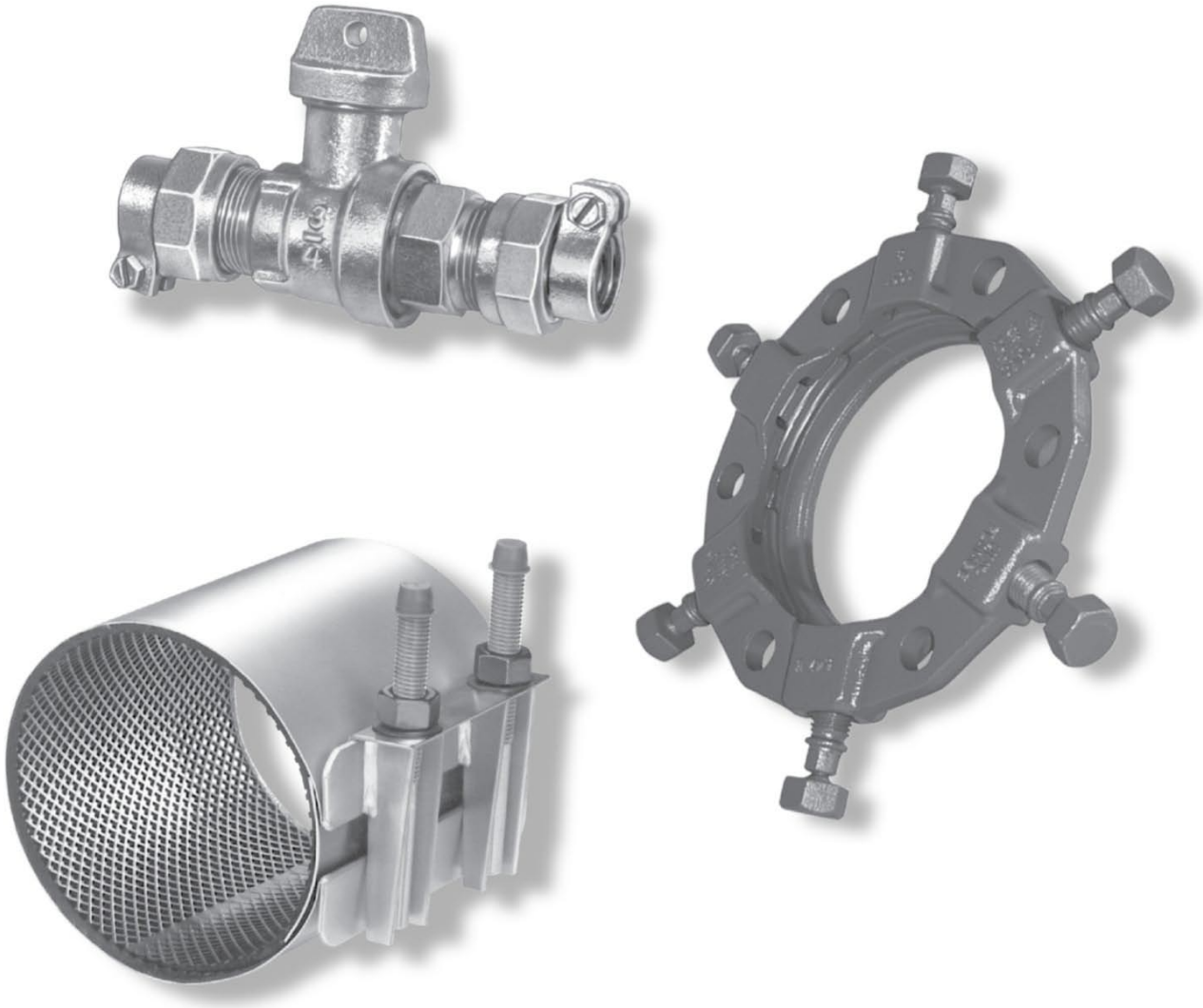
1-800-662-8486

www.natgun.com

Chris Hodgson, Regional Manager

0.43 MG Natgun water tank for the Bowdoinham Water District. Engineering by Wright-Pierce, Topsham, ME

WATER WORKS BRASS AND PIPELINE PRODUCTS



THE FORD METER BOX COMPANY, INC.

FORD

P.O. Box 443, Wabash, Indiana 46992-0443

260-563-3171 • FAX: 800-826-3487

http://www.fordmeterbox.com

UNIFLANGE

Ti-SALES INC

The Supply House That Knows How To Help

Route 27 Sudbury, MA Tel: 800-225-4616 Fax: 978-443-7600 www.tisales.com

Proud of our 45 Years of Service
Serving Upstate New York and all of New England

HALFWAY BETWEEN ROUTES 128/95 & 495 ON ROUTE 27

NEPTUNE Technology Group
Radio Read Meters
to Speed Up and Enhance Meter Reading

FORD
Brass Goods Meter Setters
Meter Pits Test Benches
Clamps & Couplings
Uni-Flange

AVK
Valves & Hydrants
with SS Stems
Hydrant/Valve Combi Tees
Check Valves

LMI Chemical Pumps
Carus Corrosion Control Chemicals
Scaletron Chemical Scales

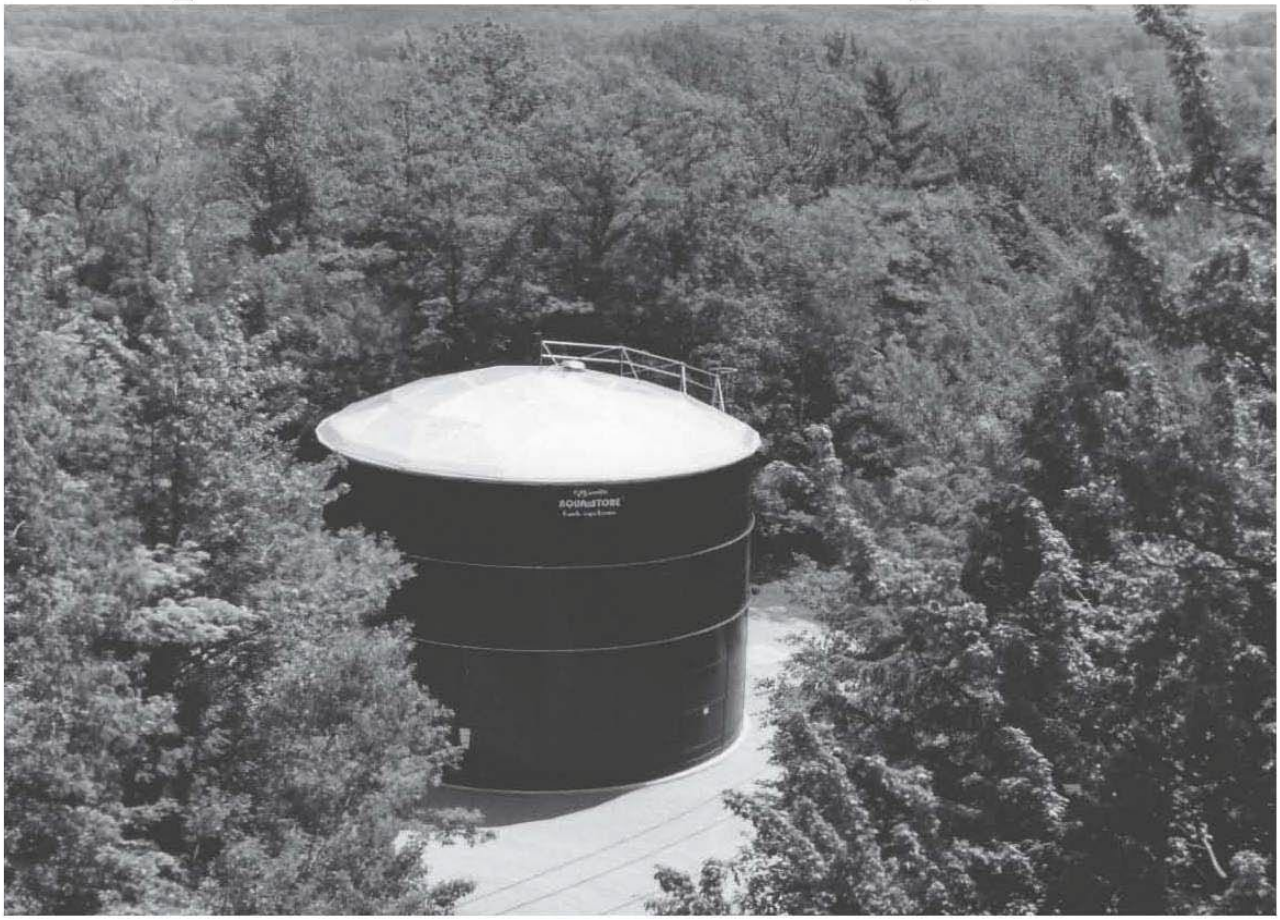
MJ Fittings - Copper Tubing - Plastic Tubing - DI Pipe - PVC Pipe

H.T.H. & Paint
Hydrant Anti-Freeze
LaMotte Chemical Test Kits & Reagents
Octoplug Fast Set Concrete
Tracer Dye Tablets
Reed Tapping Machines
Hydrant Parts for ALL Makes
Streamlight Super Flashlights
Cob Pipe Freeze Kits
Sewer Saddles
Safety Equipment

Fernco Couplings
Gate, Curb, & Manhole Adapters
Cla-Val Silent Check Valves
Schonstedt Locators
Cultec Stormwater Chambers
Val-Matic Check & Butterfly Valves
Wilkins Backflow Preventers
Rap-O Casting Cushions
Red-B-Gone
Presby Enviro-Septic Pipe

Account Manager - Steve Clements
Phone: 207-215-4678 Fax: 207-582-3981 Email: sclements@tisales.com

Keep it Green with Aquastore



Small Footprint

Manufacturing at the ISO factory means you won't need to clear the forest to create manufacturing space on site.

Low Cost Site Development

If you're not clearing large spaces, then you're not paying for them either.

Confined Areas

Tight clearance is not a concern with our flexible design.

Sustained Beauty

Save money with no repainting of the interior or exterior EVER, and have the confidence that your tank will look beautiful for years and years and years.

New England Tank, Inc.
STATEWIDE AQUASTORE, Inc.
Premium Water and Wastewater Storage Tanks

Statewide Aquastore
6010 Drott Drive
East Syracuse, NY 13057
1.800.H2O.TANK
1.800.426.8265
Fax: 315.433.5083
www.besttank.com

DRIVE RESULTS

WOODARD & CURRAN

Woodard & Curran is a 500-person, integrated engineering, science and operations company.

Privately held and steadily growing, we serve public and private clients locally and nationwide.

Driving results for communities and water utilities throughout New England.

- In-stream flow monitoring & estimating
- Water treatment & disinfection
- Storage and distribution
- Master planning & assessment
- Contract operations & management
- SCADA

800.426.4262

woodardcurran.com

Maine Without The Maintenance

The new Preload water tank in Augusta will stand up to north country conditions with virtually no maintenance—not even painting—decade after decade. Backed by Preload's 70 years of engineering expertise, our prestressed concrete tanks are the most durable, cost-effective solution for Maine…or anywhere else that knows the value of quality.

PRELOAD
Prestressed Concrete Tanks

For more information, visit **www.preload.com** or call 888-PRELOAD.
HAUPPAUGE, NEW YORK • RICHARDSON, TEXAS

When it's essential...it's Weston&Sampson.®

ENVIRONMENTAL/INFRASTRUCTURE CONSULTING

- water
- wastewater
- stormwater
- transportation
- solid waste
- hazardous waste
- site development
- geotechnical engineering
- environmental engineering
- structural design & engineering
- information technology
- construction management
- site assessment & remediation
- landscape architecture
- facility design

WATER & WASTEWATER HANDS-ON SPECIALISTS

- 24/7 emergency repairs
- preventative maintenance
- construction
- design/build
- contract operations
- training
- cross connection control

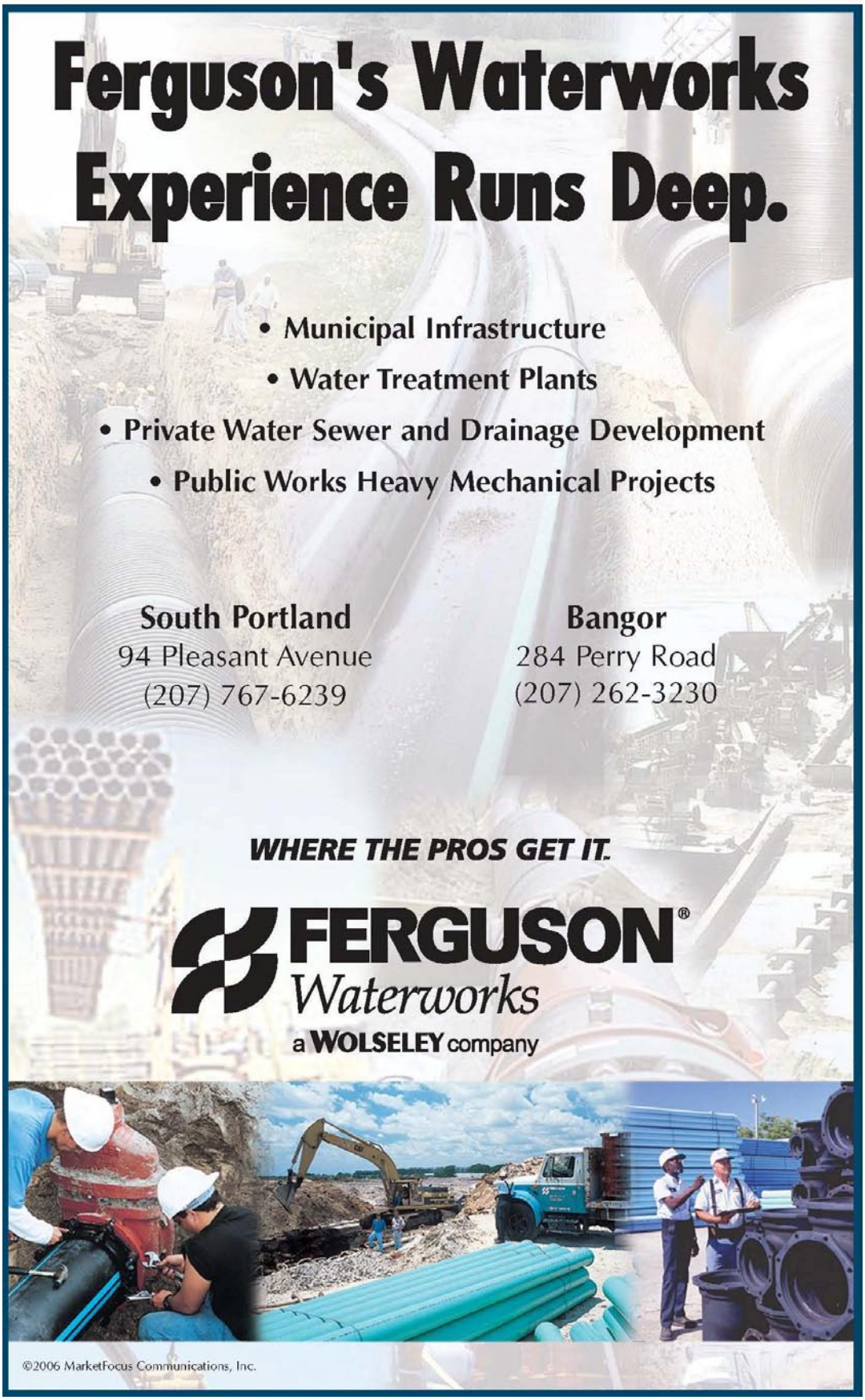
MAINE OFFICE
P.O. Box 189
York, ME 03909
Tel: 207-351-1892
Fax: 207-351-1894

1-800-SAMPSON

ENVIRONMENTAL/INFRASTRUCTURE 1899 ESTABLISHED ENGINEERING

Weston&Sampson®
www.westonandsampson.com

Offices in: MA, CT, RI, NH, ME, VT, NY, & FL


Ferguson's Waterworks
Experience Runs Deep.
• Municipal Infrastructure
• Water Treatment Plants
• Private Water Sewer and Drainage Development
• Public Works Heavy Mechanical Projects
South Portland
94 Pleasant Avenue
(207) 767-6239
Bangor
284 Perry Road
(207) 262-3230
WHERE THE PROS GET IT.
FERGUSON®
Waterworks
a WOLSELEY company
©2006 MarketFocus Communications, Inc.

TED BERRY Co. INC

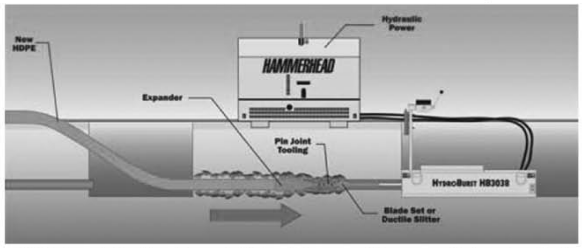
Do You Have an Aging Utility System?

UTILITY WORK AHEAD

Pipebursting for Replacement of Municipal Water Mains

DETOUR AHEAD

The Ted Berry Company's Static Pipebursting Equipment is specifically designed for the trenchless replacement of Municipal Water Mains.
The Solid Rod Burst System is specifically designed to be forced through heavily encrusted, damaged or collapsed lines. Able to replace pipes made of Cast iron, Ductile Iron, Asbestos cement, PVC, and others. Ductile slitting tools will easily cut repair bands and mechanical repair sleeves.



58 Ton Static Burst Machine with small footprint. 35 mm rod for replacement of pipes 1.5"-6"

80 Ton Static Burst Machine for bursting long lenghts of larger diameter pipe. 6"-16" Solid 2.25" rod

12 Ton Constant Tension Winch with 8" pneumatic hammer. For bursting municipal sewer lines made of VCP, CP, AC ect. Our HG12 Uses Patented Manhole exit.

HDPE Polyfusion

Robotic CCTU PIPELINE Inspections

Jet-Vac Services

Sliplining

www.tedberrycompany.com

Maine Municipal Bond Bank

Making a Difference for Maine's communities.

Drinking Water SRF Program

Administered jointly by the Maine Municipal Bond Bank and the Department of Human Services, the Drinking Water SRF Program offers low cost loans for eligible projects originating from public or private water systems.

Clean Water SRF Program

Administered jointly by the Maine Municipal Bond Bank and the Department of Enviornmental Protection, the Clean Water Program SRF offers low cost loans for eligible projects originating from public waste water systems.

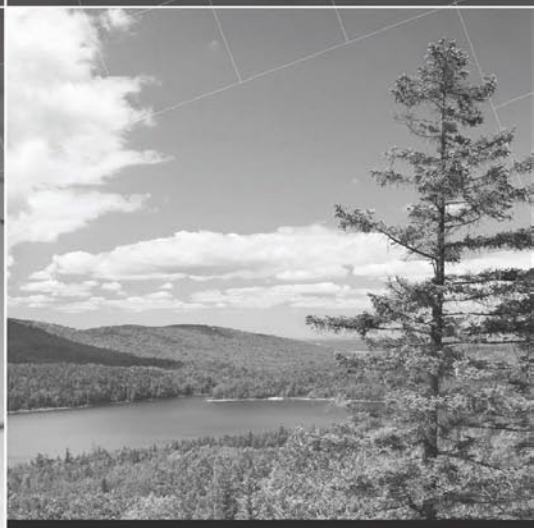
SRF
State Revolving Loan Fund

Interim Loans • Free Financial Advice • Below Market Interest Rates • Flexible Financing Schedule
Let Us Put Our AAA Credit Rating To Work For You

127 Community Drive • P.O. Box 2268 • Augusta ME • 04338-2268 • (207)622-9386 • www.mmbb.com

listen. think. deliver.®

CDM is proud to support the Maine Water Utilities Association.



CDM®
www.cdm.com

Cambridge, MA • Manchester, NH • North Yarmouth, ME • Providence, RI • Wethersfield, CT

THE WISE COMPANY, INC.

880 W. Central St., Franklin, MA 02038

PHONE (508) 520-7835
FAX (508) 520-7643

E. G. CONTROLS
PUMP CONTROL PANELS: SEWAGE LIFT STATION, POTABLE WATER STATION, CONSTANT & VARIABLE SPEED CONTROL SYSTEMS, PNEUMATIC & TRANSDUCER BASED LEVEL SENSORS. ENERGY MANAGEMENT & SCADA

FOURESS ENGINEERING
BUTTERFLY VALVES: 3" – 144", TRIPLE ECCENTRIC, HIGH PERFORMANCE & AWWA. KNIFE GATES 2.5" – 120", CAST & FORGED-GATE, GLOBE & CHECK VALVES, FREE DISCHARGE VALVES.

GOLDEN HARVEST INC.
FABRICATED WATER CONTROL DEVICES: SLIDE AND SLUICE GATES, WEIR GATES, TELESCOPING VALVES, RECTANGULAR BUTTERFLY VALVES & SELF-REGULATING TIDE GATES.

HYDRA-STOP
MANUFACTURERS OF INTEGRATED LINE STOPPING AND INSERTION VALVE EQUIPMENT ENABLING TOTAL PIPELINE MAINTENANCE FLEXIBILITY. PROVIDERS OF LINE STOPPING CONTRACT SERVICES UP TO 66" AND 350 PSI

KINETROL
PNEUMATIC VANE ACTUATORS: 5 ftlb-112,000 ftlb, 90 & 180 DEGREE TURN. ELECTRO HYDRAULIC FAIL-SAFE ACTUATORS, DAMPER DRIVES, I/P & AP POSITIONERS. STAINLESS STEEL ACTUATORS: 8-440 inlbs.

ONYX VALVE, INC.
PINCH VALVES: MANUAL, PNEUMATIC & ELECTRIC. EXPANSION JOINTS, STAINLESS STEEL FLEXIBLE CONNECTORS, PRESSURE SENSORS & PRESSURE ISOLATORS. CHECK VALVES: ENCLOSED INLINE & DUCKBILL

ROTORK CONTROLS, INC.
VALVE ACTUATORS – QUARTER & MULTI-TURN-MANUAL, ELECTRICAL, PNEUMATIC, SELF CONTAINED LINEAR AND QUARTER TURN ELECTRO HYDRAULIC ACTUATORS, PAKSCAN TWO WIRE CONTROL SYSTEMS.

SINGER VALVE
GLOBE AND ANGLE PATTERN CONTROL VALVES: CHECK, PRESSURE REDUCING, BACK PRESSURE, PRESSURE SUSTAINING, PRESSURE RELIEF, PUMP CONTROL, SURGE RELIEF, ALTITUDE & FLOAT CONTROL

VAL-MATIC
AWWA RESILIENT SEATED BUTTERFLY AND BALL VALVES, CAM-CENTRIC PLUG VALVES. AIR & VACUUM VALVES, FOR DEEP WELL SERVICE, WASTEWATER, AND VACUUM. CHECK VALVES: SWING FLEX, SURGEBUSTER, TILTED DISC, DUAL DISC, SILENT AND SURE SEAL FOOT VALVES.

THE WISE COMPANY, INC.
METAL FABRICATION, WELDING AND MACHINING OF MILD STEEL, ALUMINUM AND STAINLESS STEEL FROM CUSTOMER PROVIDED PRINTS OR FROM OUR OWN DESIGN.

JOURNAL
Maine Water Utilities Association

Volume 88 **2009**

OFFICERS 2009

President
John Storer, Assistant Superintendent, Auburn Water & Sewerage District
First Vice President
Kathy Moriarty, General Manager, Bangor Water District
Second Vice President
Steve Cox, Engineer, Aqua Maine, Inc.

DIRECTORS
Don Gobeil, Technical Services Director , Kennebunk, Kennebunkport & Wells Water District
Gordon Johnson, Water Operations Engineer, Portland Water District
Jeffrey LaCasse, General Manager, Kennebec Water District
Jon Ziegra, Manager, Boothbay Region Water District

The JOURNAL of the Maine Water Utilities Association is published annually in the interest of Maine waterworks operators by:

Maine Water Utilities Association
Jeffrey L. McNelly, Editor
P. O. Box P
Waldoboro, ME. 04572-0917
Office (207) 832-2263
Fax (207) 832-2265
E-mail: jmcnelly@mwua.org
Website: mwua.org

Technical articles and other subjects of lasting interest are solicited. Advertising is accepted from Associate members of the association.

Table of Contents

Final Status Report: Bills of Interest to the Water Supply Profession 14
Second Session of 123rd Maine Legislature

Liability for Accidents at Construction Sites: Do Water Districts Have Immunity? 25
William S. Harwood, Verrill Dana

CONFERENCE # 497 **JUNE 12, 2008** **MARS HILL**
Welcome to Mars Hill 28
Mr. Raymond Mersereau, Mars Hill Town Manager

Regulatory Update 28
Larry Girvan, Maine Drinking Water Program

Combined Utility Management & System Overview 29
Steven Millard-Mars Hill Utilities District

Technical Programs:
Mars Hill Maine - Low Cost Approaches for Disinfection By-Products 31
Naleen Mayberry-Wright Pierce

Industrial Water Use -Working with a Municipal Supplier 34
Greg McCrum – Best American Foods

Energy Management at the City of Saco 35
Howard Carter

Energy Options for a Sustainable Future 36
Ryan Fonbuena – U.P.C. Windpower

CONFERENCE # 498 **AUGUST 13-14, 2008** **BRUNSWICK**
Clambake & Golf Tournament 37

CONFERENCE # 499 **OCTOBER 9, 2008** **KINGFIELD**
Welcome to Kingfield 39
Jon Dill – Senior Selectman

Regulatory Update 39
Roger Crouse-Director ME Drinking Water Program

Business Meeting 40

Kingfield Water District History & System Overview 40
Alan Stewart – Kingfield Water District

Developing a Back-up Water Source 41
Rob Williamson – Wright Pierce

Summary of the Bradbury Spring Technical Evaluation – Plant Construction Overview 42
Andy Bishop & Members of the Natural Resources Team – Poland Spring Bottling Co/ Nestle Waters

Table of Contents

Aquifer Development 44
Matt Reynolds – Drumlin Environmental

CONFERENCE # 500 **DECEMBER 4, 2008** **ALFRED**
Welcome to Alfred 45
John Sylvester, Town of Alfred, Board of Selectman

Alfred Water District System Overview 46
George Dugovic, Alfred Water District Trustee

Regulatory Update 47
Terry Trott, Maine Drinking Water Program

Business Meeting & Annual Committee Reports 48

Technical Programs:
Building Relationships with the Media and Your Public 53
Michelle Clements, Public Relations Manager, Portland Water District

The Maine Public Utilities Consumer Assistance Division Process 55
Brad King and Shawn Brooks, Senior Consumer Assistance Specialists, Maine PUC

CONFERENCE# 501 **FEBRUARY 10-11, 2009** **PORTLAND**
83rd Annual February Meeting & Tradeshow Business Meeting 57

Trade Show Exhibitors 63

Trade Show Sponsors 64

CONFERENCE# 502 **APRIL 9, 2009** **RICHMOND**
Welcome to Richmond 65
Jay Robbins – Richmond Historian

Regulatory Update 67
Roger Crouse – Director ME Drinking Water Program

Technical Program:
History & System Overview 68
Mike Broadbent – Richmond Utilities District Superintendent

Current Issues with Fire Protection Systems – Manager/Operator Forum 69
Facilitators: Brian Tarbuck, Jeff LaCasse; Gordie Johnson

In Memory 71

Past Presidents 73

Minutes of Board of Directors Meetings (May 2008 – April 2009) 74

MAINE WATER UTILITIES ASSOCIATION, 2009

FINAL STATUS REPORT
BILLS OF INTEREST TO THE WATER SUPPLY PROFESSION
FIRST SESSION OF THE 124TH MAINE LEGISLATURE

STATUS CODE KEY:

CO – Carry Over (to next session)
ONTP – Ought Not to Pass
OTP - Ought to Pass
PL – Public Law
P & S – Private & Special Law
RES. - Resolve

L.D.	TITLE	STATUS
1	**An Act to Stimulate Capital Investment for Innovative Businesses in Maine**	CO

This bill would allow the Maine Public Employees Retirement System to become a capital venture lender. Net profits would go to the General Fund; however, the Maine Public Employees Retirement System may be given some of the profits as an inducement to becoming a lender. No more than $20 million could be placed in a single capital venture and no more than $10 million in a single venture.

10	**An Act to Authorize a General Fund Bond Issue for Wastewater Treatment Facilities and Drinking Water Programs**	DEAD

This bond would have provided the necessary matching funds for three years for both the Clean Water and Drinking Water SRF Programs. It was killed in committee and the bond match was obtained via the Governor's bond package, which was approved for referendum. The amounts specified in the Governor's bond may not be enough to provide the necessary match for 2010 and 2011.

27	**An Act to Amend the Definition of Employment for Purposes of Unemployment Compensation**	DEAD

This bill would have required an individual to work no less than 16 hours before the application of the ABC test relative to employment status and unemployment insurance coverage.

40	**An Act to Prohibit Certain Uses of Cellular Telephones and Handheld Electronic Devices While Operating a Motor Vehicle**	DEAD

The title describes the intent of the bill. Exceptions for emergency vehicles, physicians, holders of commercial driver's licenses, municipal public works personnel, Maine Turnpike Authority personnel, and state transportation personnel were proposed in the bill. However, there was no exception for utility personnel.

41	**An Act to Prohibit the Use of a Handheld Cellular Telephone While Operating a Motor Vehicle**	DEAD

This bill is like the previous one, except it included text messaging which carries of fine of no less than $500.

55 **An Act to Prohibit the Commercial Sale of Water by a Water District** **DEAD**

LD 55 would have provided for additional review or regulation of the commercial sale of water by a water district to an entity outside of its territory.

107 **An Act to Change the Classification of Man-made Wetlands** **DEAD**

This bill would have exempted man-made wetlands created solely as a result of human activity. It would not have excluded those made in connection with replacement of wetlands as a result of a project.

112 **An Act to Prohibit the Use of Handheld Cellular Telephones While Driving** **DEAD**

This bill would have allowed the use of a cellular phone as long as both hands are free. This bill did not include an exemption to utilities.

119 **An Act to Amend the Laws Governing Public Water System Operations** **PL 15**

This bill modified the Alternative Funding Mechanism by increasing the annual base fee to $75 and removing the base plus per capital fee limit.

125 **Resolve, to Establish the Blue Ribbon Commission to Study the Functions and Operations of the Maine Public Employees Retirement System** **CO**

This resolve would create a commission of five members, one from the Senate, three from the House of Representatives and one from the Maine Public Employees Retirement System. The commission would examine the functions and operations of the system, make any suggestions to improve and make recommendations to guarantee its sustainability.

182 **An Act to Prohibit Aerial Spraying of Pesticides near Buildings, Roads and Bodies of Water** **DEAD**

This bill proposed to establishes buffer zones where aerial spraying could not take place.

200 **An Act to Amend the Charter of the Caribou Utilities District** **P&S 8**

This bill will not allow a trustee who is elected after January 1, 1987 to become a member of the Maine Employees Retirement System unless, that person is also a full time employee.

237 **An Act to Impose an Excise Tax on the Extraction of Water for Bottling** **DEAD**

LD 237 proposed to impose an excise tax on each bottled water operator that extracted more than 1,000,000 gallons of water in the previous calendar year, for the privilege of engaging in the business of extracting groundwater or surface water from springs or other underground sources within the State for commercial bottling for sale. As worded, the bill targeted Poland Spring Bottling Company.

MWUA testified in opposition to the bill, stating that the extraction of groundwater is not a privilege in Maine; rather it is a right that comes with the ownership of property. He association stated that water utilities have made considerable investments in property in order to acquire and protect groundwater resources and that they rely on the rights inherent in ownership of the property to control activities which might otherwise compromise the safety of those supplies. There was much testimony on the bill; almost all of it opposition.

The bill's sponsor did not show up for the work session.

238 **An Act Regarding Consumer-owned Water Utilities and Contracts for Water Extraction and for the Sale of Water** **PL 37**

This bill would have required a public hearing and then a referendum vote of the public of a consumer-owned water utility before entering into an agreement that involves: 1) sale of water other than for onsite use or consumption of the purchasing party, 2) sale or lease of the utility's water rights including extraction from sources that the utility is authorized to get water from and 3) sale or lease of water rights that are different from those available to a similar situated entity. A majority vote in favor would have been required for the utility to proceed. The costs of the referendum would have been borne by the utility.
A considerable amount of time and effort was spent in an attempt to minimize the impact of the proposed bill. An amendment was ultimately enacted which prohibits a consumer-owned water utility from entering into a contract that involves large-scale extraction and transportation of water until the utility has held a public meeting that includes opportunity for public comment. The requirements do not apply to any contract between a consumer-owned water utility and another entity when the entity contracting with the utility is an existing customer of the utility or is a water utility, or when the transportation of water to be provided under the contract qualifies as one of several exceptions in the laws governing restrictions on bulk transport of water.

261 **An Act to Increase Safety in Construction Zones** **DEAD**

This bill would not have allowed operation of a mobile phone or handheld electronic device in an area where the speed limit has been restricted due to construction or maintenance.
There were no listed exceptions to this bill.

273 **An Act to Require a Regional Review of Projects that Affect Areas Outside of the Community in Which the Project is Proposed** **DEAD**

This concept draft would have required a regional review of a project if the project were to have an adverse effect outside the community in which the project would be located.

299 **Resolve, Regarding Legislative Review of Portions of Chapter 4: Water-based Fire Protection Systems, a Major Substantive Rule of the Office of the State Fire Marshal (Emergency)** **Res. 31**

Resolve 31 effectuates the final adoption of portions of Chapter 4: Water-based fire protection systems, a provisionally adopted major substantive rule of the Department of Public Safety, Office of the State Fire Marshal.

310 **An Act Regarding Grassroots Lobbying** **PL 282**

The title was changed to An Act Regarding Indirect Lobbying, with the focus of the bill being on indirect lobbying. Indirect lobbying was defined to include solicitation made by a broadcast, cable or satellite transmission; a communication delivered by print media; or a letter or other written communication delivered by mail or by comparable delivery service. E-mail is not considered a letter for the purposes of this legislation.

332 **An Act to Amend the Penalty for Withdrawal of Land from the Maine Tree Growth Tax Law Program** **DEAD**

This bill would have prevented taxes imposed on land being withdrawn from under the Maine Tree Growth Tax Law being greater than actual taxes if it had not been placed under the Tree Growth Tax Law, plus any applicable interest. MWUA testified in support of the bill.

334 **An Act to Clarify the So-called Dig Safe Law** **DEAD**

This concept draft bill proposed to help property owners and others in recognizing appropriate Dig Safe situations by clarifying the Dig Safe Law. The bill was voted out of committee as Ought Not to Pass; however the Public Utilities Commission was asked to evaluate the issues brought forth during the public hearing.

338 **An Act to Improve the Visibility of Automobiles** **DEAD**

LD 338 would have required that a motor vehicle's headlights be on during atmospheric conditions unfavorable to visibility, including, but not limited to, rain, freezing rain, fog and snow.

373 **An Act to Facilitate Lactation at the Workplace by New Mothers** **PL 84**

PL 84 requires that an employer provide adequate unpaid break time or permit an employee to use paid break time or meal time each day to express breast milk for her nursing child, for up to 3 years following childbirth. The employer shall make reasonable efforts to provide a clean room or other location, other than a bathroom, where an employee may express breast milk in privacy. An employer may not discriminate in any way against an employee who chooses to express breast milk in the workplace.

387 **An Act to Protect Groundwater and Surface Water from Contamination** **DEAD**

This bill would have directed the Board of Environmental Protection to adopt rules relating to the composting of organic waste generated at slaughterhouses to prevent contamination of groundwater and surface water and to protect the public health.

394 **An Act to Protect Nonprofit Organizations from Embezzlement** **DEAD**

This bill would have required two signatures on checks of nonprofit organizations or the check would not be honored. The signers could not be related.

431 **An Act to Make the Site Location of Development Laws More Development Friendly** **DEAD**

This bill would have extended the requirement for re-vegetation of an area from a calendar year to 10 years from the date of stripping or grading before it is included in the 3-acre threshold.

443 **An Act to Increase the Jurisdictional Limit for Small Claims** **PL 428**

This bill proposed to increase the limit for small claims from $4,500 to $10,000. The actual increase which was enacted was $6,000.

501 **An Act to Ensure Maine's Energy Security and Reduce Dependence on Oil** **DEAD**

This concept draft proposed to set aside 85% of the revenue from the Regional Greenhouse Gas Initiative to do the following: 1) establish an insulation and energy audit training program at all community colleges in the State, 2) provide a tax credit for purchasing building insulation, 3) provide low-interest loans to purchase insulation, 4) low-interest marginal risk loans for equipment and costs to start up insulation companies, 5) progressive tax credit to companies who maximize the insulation value in their buildings; the tax credit would be based on the insulation value of the building, 6) insulate low-income homes of residents, 7) direct the PUC's Efficiency Maine program focus to shift from electricity use reduction to energy reduction.

502 **An Act to Require Additional Information in the Annual Reports of Nonprofit Corporations** **DEAD**

This bill would have required the annual report of nonprofit corporations to include the salaries of the president, treasurer, registered agent, secretary, clerk and directors, and a summary of annual gross revenues and expenses.

615 **An Act to Strengthen Landowner Rights in Certain Eminent Domain Situations (Emergency)** **DEAD**

This bill would have allowed a person who disputes the amount of damages offered by a utility for the taking of land by eminent domain to hire a qualified independent appraiser to determine the value of the land. The cost of this appraiser would have been paid by the utility. The surrounding property of the owner that was not being taken would also be included in the determination of the value.

617 **An Act to Amend the Maine Workers' Compensation Act of 1992 to Remove Independent Medical Examiners** **DEAD**

The title states the purpose of this bill – removal of independent medical examiners.

639 **An Act Regarding the Computation of Workers' Compensation Rates Based on Past Claims** **DEAD**

Under current law, an employer is placed in a high-risk pool if the employer has at least 2 lost-time claims, each greater than $10,000 of incurred loss during the previous 3-year experience rating period. This bill would have increased the incurred loss amount from $10,000 to $40,000.

644 **An Act to Allow the Sale and Use of Fuel Containing MTBE in a Vehicle in a Competitive Event** **DEAD**

This bill would have allowed MTBE to be used in a vehicle in a race as long as it was sold and distributed in prepackaged drums, pails or containers.

645 **An Act to Provide for Municipal Oversight and Authority over Groundwater Extraction** **DEAD**

This bill would have granted municipal officers the authority to adopt regulations governing surface uses of public water sources, giving them the ability to regulate the extraction and removal of groundwater, spring water or water from aquifers. It also would have allowed them to regulate surface uses of land overlying groundwater aquifers and their recharge areas used as sources for private wells for domestic use. MWUA testified in opposition to this bill. This bill and LD 663 both received an Ought Not to Pass vote from the Natural Resources Committee.

650 **An Act to Create a Sustainable Funding Mechanism for Water and Wastewater Infrastructure in the State** **PL 377**

LD 650 establishes a funding structure for capital investment in public water and wastewater infrastructure, but does not provide actual funds at this time. The original bill called for the transfer of existing sources of tax revenue to the fund; however it was not felt that such a transfer was attainable given the current economic climate. This bill is the culmination of a cooperative effort of representatives of the DEP, DHHS, Maine Water Utilities Association, Maine Rural Water Association, Maine Wastewater Control Association, the Associated General Contractors of Maine and the American Council of Engineering Companies.

663 **An Act to Clarify a Municipality's Authority to Pass Ordinances that Govern the Extraction of Groundwater** **DEAD**

This bill would have allowed municipalities to adopt ordinances regulating groundwater extraction, the transportation of water and significant groundwater wells that are more stringent than state law. MWUA testified in opposition to this bill.

669 **An Act to Clarify an Employer's Ability to Collect the Overcompensation of Wages** **DEAD**

This concept draft would have limited an employer's ability to collect overcompensation if said overcompensation was the employer's error.

679 **An Act to Allow a Court to Award Attorney's Fees in Successful Freedom of Access Appeals** **PL 423**

This bill was amended and enacted. It gives the court discretion to award reasonable attorney's fees and litigation costs to a person who appeals the refusal to inspect or copy a public record or appeals action taken illegally in an executive session, if the court determines that the person substantially prevailed in the appeal and that the refusal or the illegal action was committed in bad faith. Attorney's fees and litigation costs may not be awarded to or against a federally recognized Indian tribe.

686 **An Act to Require Semiannual Testing in Certain Gravel Pits** **DEAD**

This bill would have required biannual testing of gravel pits for toxic substances in the soil, air and water surrounding the site. These results would be posted on DEP's website and also submitted to the municipality where the gravel pit is located.

699 **Resolve, Establishing Goals and Principles for Fisheries Management for the Department of Inland Fisheries and Wildlife** **Res. 47**

The purpose of the original bill was to increase recreational fishing in the State. One of the listed objectives was to secure access to all lakes, ponds, rivers and streams in the State. The LD was re-titled: Resolve, To Direct the Department of Inland Fisheries and Wildlife to Conduct an Evaluation of Its Sport Fishing Program. One of the objectives is securing appropriate access to inland waters.

712 **An Act to Suspend Driver's Licenses of Persons Operating All-terrain Vehicles, Watercraft and Snowmobiles While Intoxicated** **DEAD**

The original bill was replaced by an amendment which would have required a court, when sentencing a person convicted for OUI committed with a motor vehicle, watercraft, snowmobile or all-terrain vehicle, to treat prior convictions for OUI committed with a motor vehicle, watercraft, snowmobile or all-terrain vehicle as a previous conviction. The amended bill died between houses.

715 **An Act to Enable the Use of Credit Cards for Governmental Transactions** **PL 113**

LD 715 was amended and enacted as PL 113. The amendment allows a county, municipality or quasi-municipal corporation and the Judicial Department to impose a surcharge for the use of a credit card or debit card as long as the surcharge is disclosed to the consumer prior to payment and the amount does not exceed the costs incurred by the governmental entity. The amendment also includes additional clarification and requirements relative to fees, disclosures and liability.

722 **An Act to Manage Risks Associated with Surface Uses on Public Water Supplies** **Res. 32**

LD 722 received a new title: Resolve, Directing a Review of the Management of Risks Associated with Surface Uses on Public Water Supplies. This bill that was submitted by MWUA. The resolve directs the Drinking Water Program to review and make recommendations on the management of risks associated with surface uses on lakes and ponds that are public water supplies. It also authorizes the Joint Standing Committee on Natural Resources to submit legislation concerning the recommendations to the Second Regular Session of the 124th Legislature.

728 **An Act to Protect Homeowners in Foreclosure Proceedings** **DEAD**

This bill would have extended the period of redemption in a successful foreclosure proceeding to one year beginning October 1, 2009. It also would have required alternative dispute resolution.

832 **An Act to Amend the Laws Governing Lobbyist Disclosure** **PL 137**

This amended bill would require a person who is required to register as a lobbyist or a lobbyist associate to wear a clearly visible name tag whenever the lobbyist or lobbyist associate is engaged in the act of lobbying. The name tag must clearly display the lobbyist's name and must include either the name of the firm the lobbyist works for, the name of the lobbyist’s employer, the organization the lobbyist represents or the term "lobbyist."

837 **An Act to Protect Maine’s Groundwater** **DEAD**

This bill would have placed ground water in the public trust, in essence transferring the ownership of groundwater from the property owner to the state. The association testified in opposition to this bill.

867 **An Act Regarding Unemployment Compensation** **DEAD**

This bill would have required the Director of Unemployment Compensation, when sending a written notice of determination of employment, to include the documentation that supported the determination. The bill also would have required the director to treat both claimant and employer equally and to make available the record of interviews and documentation to both parties.

869 **An Act to Require the Development of Plans to Achieve the Payment of Livable Wages by State and Local Government Employers** **DEAD**

This bill would have defined livable wage to be a single-parent, one-child household. By the end of December 2009, and annually thereafter, all municipalities, counties, school administrative units, the University of Maine System and the Maine Community College system would have been required to report to the Department of Labor the wages paid to each worker and the difference between actual wages and livable wages. By July 1, 2012 the State, University of Maine System, Maine Community College System and all municipalities, counties and school administrative units would have been required to pay all employees at least a livable wage.

880 **An Act to Improve the Ground Water Oil Clean-up Fund** **DEAD**

This bill would have limited administrative expenses, personal services and equipment costs related to the administration and enforcement of the Ground Water Oil Clean-up Fund to 5% of the balance of the fund and required the Department of Environmental Protection to

conduct an annual audit of the administration of the fund to ensure that standard accounting practices are being followed.

891 **An Act to Amend the Site Location of Development Laws to Include Consideration of Greenhouse Gas Emissions** **CO**

This bill would allow the Department of Environmental Protection to consider if unreasonable greenhouse gas emissions might occur as a result of the project. They can look at the location, design, construction and operation of the development including transportation, building materials, energy use, energy conservation, and solid waste. If the project is found to create unreasonable greenhouses gases DEP may consider mitigation of these emissions. Mitigation means "any action taken or not taken to avoid, minimize, rectify, reduce, eliminate or compensate for emissions of greenhouse gases."

934 **An Act to Clarify Public Sector Employee Fair Choice in Collective Bargaining** **CO**

This bill replaces an election for union representation with an inspection of written majority authorization by the employees.

954 **An Act to Clarify the Role of the Public Advocate** **PL 399**

The original bill proposed that the Public Advocate must be unencumbered by direction from or approval of the executive branch in fulfilling duties and responsibilities. PL 399 governs the appointment, term of service and removal of the Public Advocate.

979 **An Act to Require the Disclosure of Insurance Policy Limits to an Injured Party** **PL 189**

This bill proposed to require an insurer to disclose the liability coverage limits of its insured to a claimant within 60 days of the request. Failure to do so would result in a $500 penalty and attorney's fees and expenses. The bill was amended to retain the substantive provisions of the bill, but reallocates the language to the appropriate chapter of the Maine Revised Statutes, Title 24-A.

981 **Resolve, to Establish a Study Commission to Examine the Issue of Eminent Domain** **DEAD**

This resolve would have established a study commission to examine the issue of eminent domain and to ascertain when it is proper to use eminent domain.

1028 **An Act to Enhance Municipal Home Rule Statutes** **DEAD**

LD 1028 proposed to grant to municipalities the authority to strip a corporation of its constitutional rights. The association testified in opposition to LD 1028, highlighting the adverse impact this bill could have on investor owned water utilities. Although there was support for the bill in the House, the bill ultimately died.

1094 **L.D. 1094, An Act to Enhance Safety at Construction Sites by Regulating Open Trenches** **Resolve 70**

This bill would have required an excavator to mark and erect a barrier around an unattended excavation to prevent a person, animal or vehicle from falling into the excavation.
The outcome was a Resolve, To Study Safety Measures Relating to Open Trenches and Excavations. The Department of Transportation is to establish a working group to study safety measures relating to open trenches and excavations on both public and private property. The working group shall develop recommendations for improving the safety of unattended trenches and excavations for the general public and submit a report to the Joint

Standing Committee on Transportation

1107 **An act to Promote Personal Financial Responsibility by Allowing a Person to Make Good on Dishonored Checks Prior to the Imposition of Criminal Penalties** **DEAD**

This bill would have required the recipient of a worthless instrument to notify the person who issued the worthless instrument by certified mail, return receipt requested. The person would have 30 days from receipt of the notice to pay the amount due, including any fees charged because it wasn't honored.

1146 **An Act to Authorize Municipalities to Impose Service Charges to Tax-exempt Property Owned by Certain Organizations Whose Primary Activities are Not Charitable** **DEAD**

This bill would have allowed municipalities to impose service charges on tax exempt property if less than 50% of the organization's revenue is spent on charitable activities. This would include literary and scientific organizations, chambers of commerce, boards of trade, charitable and benevolent institutions and exempt hospitals.

1207 **An Act to Base the Value of Eminent Domain takings on Going Concern Value** **DEAD**

This bill would have established an impartial ombudsman to ensure property owners who lose property through eminent domain are fairly compensated. The burden would fall on the business to prove the loss. The business owner and the governmental authority taking the property would each have a licensed appraiser determine the amount of loss. If they agreed the additional compensation would be added; if they were within 10% of each other the average appraisal would be used. If they could not agree the owner could appeal to the State Claims Commission.

1267 **An Act to Establish a Groundwater Withdrawal Program and to Recognize Groundwater as a Public Trust Resource** **DEAD**

LD 1267 was legislation based on Vermont law. It sought to makes the State's groundwater a public trust resource. It included permitting and reporting requirements for large groundwater; in most cases it proposed to exempt public water systems. It would have required site review of groundwater withdrawals of more than 340,000 gallons per day from a well or spring if the withdrawal required a permit. It would have repealed reporting of groundwater withdrawals and permitting of significant groundwater wells.
The association testified in opposition to this bill. These bills received an Ought Not to Pass vote from the Natural Resources Committee.

1269 **An Act to Clarify the Laws Regarding Significant Groundwater Wells** **PL 295**

PL 295, among other things, adds to the definition of significant groundwater wells the use of certain public water supply wells. Included are a public water system used solely to bottle water for sale and any portion of a public water system that is used solely to bottle water for sale, and not connected to another portion of the public water system through pipes intended to convey water.

1290 **An Act to Amend the Law Authorizing the Application of Service Charges to the Owners of Certain Real Property Exempt from Property Taxation** **DEAD**

This bill would have allowed tax-exempt property as defined in 36 MRSA, section 652 to be assessed a service fee for fire protection, fire hydrant fees, police protection and road-related services. The fees could not exceed 2% of the gross revenues of the organization. Water utilities were not included in the service fee.

1292 **An Act to Provide More Transparency and Protection for Public Employees in the Laws Governing the Maine Public Employees Retirement System** **PL 322**

LD 1292 would have allowed the Governor to appoint the executive director of the Maine Public Employees Retirement System and also included provisions which may have added benefits to some who do not currently receive them. LD 1292 was replaced with an amendment which resulted in significant changes. PL 322 addresses employer responsibility regarding employee enrollment, employer contributions, additional reporting to the Legislature, decisions of the retirement system, explicit provisions concerning the use and role of hearing officers, and other requirements.

1310 **Resolve, to Establish the Blue Ribbon Commission to Examine the Legal and Policy Implications of Groundwater Extraction (Emergency)** **PL 132**

LD 1310 proposed to create a commission of 11 members, 4 appointed by the Senate President, and 4 appointed by Speaker of the House. The members would have consisted of 3 Senators, 3 House members, a person representing the interest of business or industry, a member of the Citizen Trade Policy Commission and representatives from three agencies.
The title was changed to: Resolve, Relating to a Review of International Trade Agreements and the Management of Groundwater Resources. PL 132 directs the Water Resources Planning Committee, of the Land and Water Resources Council, in coordination with the Office of the Attorney General and the Citizen Trade Policy Commission, to conduct an examination of the potential legal impacts of international trade agreements on the State's ability to manage its groundwater resources, including, but not limited to, the potential consequences of permitting foreign companies to extract groundwater. The examination may include a review and assessment of the following subjects as they relate to or impact international trade agreement issues and the State's regulation of its groundwater:

1. Property rights related to the ownership of groundwater;
2. The various common law doctrines relating to the use of groundwater, including the absolute dominion rule and the reasonable use rule; and
3. Natural resources other than groundwater.

By January 1, 2010, the group must submit a report related to the review to the Joint Standing Committee on Natural Resources. The report must include findings, recommendations and any legislation necessary to implement the recommendations. The Joint Standing Committee on Natural Resources is authorized to report out legislation to the Second Regular Session of the 124th Legislature.

1316 **An Act to Limit the Transport of Water for Export** **DEAD**

This bill would have prevented the transportation of water for export by road, railroad, pipeline or port facility that was built after enactment of this bill.

1349 **An Act to Streamline Ratemaking for Consumer-owned Water Utilities** **PL 237**

LD 1349 initially sought to give a consumer-owned water utility the authority to decrease or increase rates between 3% and 5% without the changes being subject to investigation and suspension by the Public Utilities Commission. An amendment was ultimately enacted as Public Law 237.
The amendment allows a consumer-owned water utility that has negative net income in 2 consecutive fiscal years to file for a limited rate increase under a streamlined process. The rate increase is limited to 2%, 3.5% or 5% of current rates depending on the size of the utility as measured by annual revenues. The cumulative total of rate increases over 5 years is limited to 10%. Under this streamlined process, a consumer-owned water utility is required to hold a public meeting regarding the proposed rate increase and provide a public comment period at

that meeting. After the public meeting, the governing body of the consumer-owned water utility is required to hold a meeting to deliberate and vote on the proposed rate increase. The consumer-owned water utility is required to record and file with the PUC minutes of the public meeting and the meeting of the governing body, which must include a record of the public comment, the vote of the governing body and responses of the governing body to the public comment received. The utility must file its changed rates with the commission not sooner than 10, but within 30, days of the governing body's vote.

1425 **An Act Regarding Payment to Municipal and Quasi-municipal Entities for Emergency Response to Hazardous Materials Incidents (After Deadline)** **DEAD**

This bill would have made the owner or lessee of property, to which emergency vehicles from a municipality or quasi-municipality responds relative to a hazardous material incident, responsible for all costs of the emergency services.

1467 **An Act Relating to the Carrabassett Valley Sanitary District (After Deadline)** **DEAD**

The bill summary for LD 1467 stated: "This bill provides that the common-law rule that holds that a claim of adverse possession or prescriptive easement may not be maintained against land owned by the government or a quasi-governmental entity does not apply in the limited case where a transmission line from a generating facility is located on or over property owned by the Carrabassett Valley Sanitary District and within 300 feet of a utility substation. The bill also in this limited case shortens the prescriptive period from 20 to 10 years."
The legislation was a surgical attempt to resolve an issue between two parties. The bill did provide the impetus to resolve the issue outside of the legislative process; the committee voted the bill out as Ought Not to Pass

1471 **An Act Concerning Debarment from Contracts with the Department of Environmental Protection (After Deadline)** **PL 360**

PL 360 addresses the debarment of an individual or business, including any other individual or business that has a direct financial interest with the debarred individual or business. The debarment lasts for two years.

Accessing the Maine Legislature Website

Whether the Maine Legislature is in session, or has adjourned, there is much in the way of legislative or other information that can be obtained from their website, which can be accessed at: **http://www.maine.gov/legis/.**

To determine the status of a current bill, or any dealt with during the most recent session, enter the LD number in the upper right hand corner of the home page and click on Find. That will take you to a summary page which also includes a number of options in the left hand column. When researching recently enacted legislation, a particularly useful option is Bill Text and Other Docs, as this page will provide the actual text of amendments and enacted legislation. Other options in that column will provide data on sponsors, roll call votes, House and Senate actions and other information.

The home page also provides a powerful link to a wealth of other information sources, such as past legislation, a recently enacted law digest and sessions laws of Maine. The Maine Constitution, Maine Statutes and Freedom of Access information can also be obtained.

Audio of committee hearings, live House and Senate video, hearing schedules and other real time or current information is available at the click of the mouse.

Liability for Accidents at Construction Sites: Do Water Districts Have Immunity?

William S. Harwood, Verrill Dana

The Maine Supreme Judicial Court has issued two recent rulings under the Maine Tort Claims Act that attempt to shed light on when a water district may be liable for accidents that occur at construction sites, particularly where water mains are being installed in the shoulders of a public highway.

Traditionally, U.S. law relying on the English principle that "the king can do no wrong" adopted a rule that government agencies, including special purpose districts, enjoy immunity from most claims or lawsuits for which a private enterprise could be found liable. In 1977, the Maine Legislature codified this principle in the Maine statutes by enacting the Maine Tort Claims Act.

The Maine Tort Claims Act attempts to draw the following bright line for determining when a government entity is immune: government agencies are not liable for decisions involving planning or policy that are uniquely governmental but are liable for so-called "ministerial" acts of employees implementing government policies or programs. These ministerial acts are sometimes referred to as implementation or operational activities to distinguish them from planning or policy setting activities. In practice, this bright line has proved difficult to identify.

In Tolliver v. Department of Transportation (2008 ME 83), a motor vehicle accident resulted from alleged negligence in laying down and striping an edge line on Route 302 in Casco. The majority of the Maine Supreme Judicial Court concluded that DOT employees were not involved in "careful weighing of competing public policy considerations when determining when to complete the striping of the road and whether to use temporary edge line markings." Therefore the alleged negligent acts were ministerial acts and DOT had no immunity.

Three members of the Court dissented arguing that the issue in the case was broader than simply painting lines on Route 302. The issue in the case involved DOT weighing the competing needs of other DOT projects and the limited staff and resources available to reline Route 302. The dissent concluded that the planning and scheduling of the operations is inherently a discretionary policy decision and very different from the kinds of decisions or activities normally conducted by people in the private sector.

More recently, in Jorgenson v. DOT (2009 ME 42), the DOT was repairing and improving the shoulder of the southbound lane of Route 209 in Phippsburg. To do so, southbound traffic was temporarily diverted to the northbound lane. An automobile accident occurred when a southbound motorist, passing through the construction site in the northbound lane, prematurely returned to the southbound lane before the end of the construction site. The Court unanimously ruled that the DOT's decisions in setting up the construction zone were not discretionary policy decisions protected from liability. The Court recognized that establishing up a construction zone involves many factors and many choices to safely control the flow of traffic, including the number and location of signs, flaggers, banners, and cones. Nevertheless, the Court did not believe that the Legislature intended these types of decisions to be protected from liability under the Tort Claims Act.

In Jorgenson, the Court mentioned the availability of insurance as a factor in its decision. The Court referred to references in the 1977 legislative debate to the lack of liability insurance for public policy decisions by government agencies, as one justification for granting immunity to government agencies for such decisions. The Court concluded that insurance was available to DOT for the type of claims alleged in Jorgensen arising out of the manner in which a construction zone is set up. While not controlling, evidence that insurance is available to a government agency may be an important factor in deciding whether there is liability in a specific situation.

For water districts involved in water main construction projects, these decisions create as many questions as they answer. But a few guiding principles can be gleaned from them.

First, if non-managerial employees are left to make decisions regarding public safety at water district construction sites, it is more likely there will be liability. One practical consideration is the job title of the negligent decision maker within the water district. Because they are more likely to be involved

in resolving discretionary policy issues, decisions made by the Superintendent and/or the Board of Trustees are much more likely to be protected than similar decisions made by an hourly worker.

This raises the related issue of the liability of the individual water district employees versus the liability of the water district itself. In most businesses, the distinction is of little consequence because under the normal employment rules, the business is ultimately responsibility for the negligent acts of its employees so long as the act is performed in the course of the employee's work.

However, the distinction is important under the Tort Claims Act. The Act provides additional protection for employees if the employee is exercising discretion in implementing the employer's policy. In Jorgenson, the Court suggests the outcome would have been different if the DOT had adopted a policy that governed the workers' decisions at the construction site, rather than leaving it to the workers at the site to decide how to set up the construction zone.

Second, if the decision applies to construction sites generally rather than a specific construction site, it will be more likely to fall with the planning/policy rule where there is no liability, than the implementation/operational rule where there can be liability.

Third, if the decision is documented by the decision-maker in such a way that it is clear that the decision-maker was attempting to balance the cost to the ratepayer with the desire to protect public safety, it is less likely there will be a liability. Such inherently difficult policy decisions are much more likely to receive protection.

Finally, there is the issue of liability insurance. Under the Act, if a government entity purchases insurance, it automatically waives any protection under the Tort Claims Act. However, the decision to actually purchase insurance and thereby waive protection from liability is a different issue than whether insurance was available for purchase and declined. The Court's reliance in Jorgenson on the availability of insurance to determine liability is controversial. It is questionable policy whether the insurance industry's decision to offer or not to offer insurance to government entities for certain types of claims should control such important public policy questions as when the government entity is liable for those types of claims. Nevertheless, it is now a factor. Therefore, if a water district successfully documents that it attempted to purchase insurance for certain types of claims but was unable to do so, it will be more likely to be protected under the Tort Claims Act.

Because the exact location of the line between policy/planning decisions and implementation/operational decisions is so difficult to predict in any given situation, the insurance question becomes more than a mere factor in deciding whether immunity exists. If there is serious property damage or bodily injury resulting from an accident at a water district construction site, one can assume personal injury trial lawyers will attempt to find a way around any statutory immunity. Unfortunately, as these decisions demonstrate, there are few accidents where the protection under the Tort Claims Act will be clear and obvious. As a result, water districts are well advised to purchase liability insurance where available at reasonable prices.

2009 President John B. Storer

CONFERENCE NO. 497 **JUNE 12, 2008** **MARS HILL**

Welcome to Mars Hill

Raymond Mersereau, Mars Hill Town Manager

The Town of Mars Hill is a town of firsts. The sun hits Mars Hill first of anywhere in the United States for about four months of the year - maybe more. We were the first commercial use of the "snow fluent process" in the world for processing potatoes. Mars Hill also has the first commercial wind farm in New England. This wind farm addresses two serious problems facing the United States and the world today: global warming and fossil fuels. It produces electricity with zero emissions and no pollution and no fossil fuel burning. We as a nation have to look into these alternatives and get off the oil bandwagon. Mars Hill is leading the way in the state and in New England. This is a small step in the right direction. This wind farm is estimated to eliminate the need for 250,000 barrels of fuel oil per year.

We're proud of our community and what we have done here. Welcome to Mars Hill. We hope you enjoy your stay.

Regulatory Update

Larry Girvan, Maine Drinking Water Program

Good morning. I have a few thoughts to share. First of all, LD 2169, which includes the bonding for next year's match, has passed. We appreciate the efforts of a lot of municipalities, Maine Water Utilities, and Maine Rural Water. We have to fight on an annual basis to get some funding for the folks in Maine.

We are currently working on updating our cross connection rules. An additional meeting was held to open up the process. The cross connection rules are quite short and not as broad as they ought to be. There are some changes anticipated and opportunities for input. The best person to contact is Roger Crouse in Augusta.

The new Drinking Water Rules are adopted effective March 12th of this year. The Trust for Public Lands is assisting us in implementing Chapter 353. The new requirement is that all state agencies consider the impacts of their activities on public water supplies. We are collecting information about land ownerships and threats to sanitary protection in cooperation with the DEP.

Do you have easements and local ordinances protecting your groundwater supply? There are monies available to help. DEP will be implementing Chapter 569 which requires above ground tanks containing petroleum and hazardous materials to be set back at least 1000 feet from a water supply. That

will impact people in the future, including mobile home parks and others. The Drinking Water Program source protection mapping has moved to a new platform. We are using Google Earth to reduce our cost and to provide greater information.

Nancy Beardsley is now Director of the Division of Environmental Health. Roger Crouse was kicked upstairs to be Director of the Drinking Water Program. Andy Tolman is now Assistant Director.

We made some changes in the way sanitary surveys are being conducted. The EPA has 8 standard elements that have to be met. This coming year sanitary surveys for water supplies, with the exception of large community systems, will be conducted using a new standardized question set.

The survey process will cover slightly more concerns as outlined by the EPA. There will be a new summary sheet. The Drinking Water Program will continue to conduct surveys in a timely manner, or try to. Our goal is to ensure the system continue to provide safe water to their customers, as they have proudly done in the past. You are people who want to do what is right for your community. You should be very proud of that. Thank you very much.

Combined Utility Management & System Overview

Steven Milliard, Superintendent Mars Hill Utility District

The Mars Hill & Blaine Water Co. is actually a Division of the Mars Hill Utility District. The Superintendent is Steven Milliard, the manager is John Peavey Jr. and Operator is Robert Lento. The office is managed by Paula Raymond. There is a nice mix of experience. The Board of Trustees members are Chairperson Emmett (Bud) Porter, John York, Vice Chair, Larry Fletcher, District Clerk. Other members are Robert Collins and Kevin Delong.

Water sources are Young's Lake and two drilled bedrock wells in Westfield. The lake encompasses 17 acres and has an average depth of 4 feet. The District was incorporated by Almon Nutter in 1911. He started the District for fire protection; he also owned the electric and telephone companies and started one of the first banks in town. His granddaughter and her husband have the only camp on the lake and are wonderful to work with. Many of the original mains were hand dug.

The water drawn from Young's Lake is gravity fed throughout the distribution system. The only pumping is done from the two wells located at the filtration plant. Average pressure during the day is 90 psi in the downtown area.

In 1938 a 250,000 gallon standpipe was constructed to aid in fire protection and to boost system pressure. In 1943 disinfection was added to the water system. From the stories I've heard, as long as there was water in the faucet they didn't care about anything else and that's the way it was. In 1963 General Waterworks purchased the company. It was operated from Caribou Water Company and the District Office was located in Skowhegan. The District Manager was Donald Burnell. In the mid 1960's there was discussion of the Mars Hill Utility District purchasing the water company but the issue was voted down at town meeting. In December 1980 it was purchased by the district for $425,000.

The District then embarked on many major improvements to rehabilitate the system. Improvements were completed to improve water quality including a new dam at the reservoir, where they

dredged out 4 feet of silt. The standpipe was sandblasted and repainted inside and out and a cover was installed to help prevent contamination.

In 1988 a 500,000 gallon standpipe was constructed to increase storage capacity. This provided a total of 750,000 gallons of storage, which was good for fire protection but not so good for disinfection by-product (DBP) levels. In the 1980's and 90's many water main replacement projects were completed throughout the system and in 1988 chlorination was paced to flow to achieve more consistent chlorine residuals.

In 1994 a slow sand filtration plant was constructed to meet EPA drinking water standards. This was a trying time, to say the least. It has been a really nice addition, once all of the bugs were worked out of it. Turbidity is not a big issue here but color is. A micro screen was installed for prefiltration; however that was seldom, if ever, used.

We have three 1000 square foot filter beds and our crew has developed a tool for cleaning filters. The Bob 2000 is a hydraulic rake constructed from 1.5" PVC, nipples, fittings, 1.5" hose and a sump pump. It percolates down about 12 inches to lift silt and organics out to waste. We utilize an up-flow cross-flow pattern to help rid waste product. It cut cleaning time by at least 50%, and also seems to have lowered organic levels and DBPs.

The "Bob 2000"

In 1996 the Water Co. purchased 140 acres in the watershed for source water protection and in 1998 Walter and Pauline Dearborn granted conservation easement on 300 acres, 150 of which they own in the watershed. Over half of the 630 acre Young's Lake watershed is either owned or in easement to the water company and all the shoreline is protected. Ninety eight percent of the watershed is in forest growth.

In 1999 a limestone contact chamber was put in service to provide corrosion control and to lower lead and copper levels throughout the distribution system. Our finished water pH typically runs at 7.5 – 8.0 and that works very well for us.

In 2000 we started testing for DBP's and in 2003 we were found to be in violation. The DBP problems are really seasonal. They are at about 15 ppb in the winter and rise to 200 ppb in the summer. In 2006 two wells were developed and put on-line for blending with surface water in an effort to lower DBP levels. That put us back in compliance with the DBP rule.

Mars Hill Maine - Low Cost Approaches for Disinfection By-Products

A Case Study: Mars Hill Utility District:
An Incremental Approach to Meet New Regulations:
Naleen Mayberry, P.E. Wright Pierce

Mars Hill is a small municipal water district located in Aroostook County with 620 customers, serving a population of 1600. The water source is Young's Lake in Westfield. The water runs through the lake to an intake reservoir. There is 18 million gallons of storage capacity in that terminal intake reservoir. The source is shallow; with an average depth of 4 feet there is no public access. The source is spring fed, subject to seasonal algae blooms and has a history of going dry.

It is gravity feed to the system with 1 ½ miles of 12 inch ductile iron main. There is a lot of elevation difference as the water flows into town. One of the things we wanted to do was to go to groundwater. We considered blending but most of the groundwater was located so that you would have to build a whole new treatment plant if you were that far away. We wanted to explore options for the District of locating a water supply near their treatment plant.

The Mars Hill Utility District distribution system is comprised of 2 storage tanks which results in ¾ million gallon capacity. One tank is steel and holds 500,000 gallons and the other is riveted steel and holds 254,000 gallons; this was cleaned in 2003. There are also 10 miles of cast and ductile iron pipe: 12, 8, and 6 inches in size. There is an average of 6 days detention time in the distribution system.

Back in the 1990's they had an issue with lead corrosion. Sodium hypochlorite was used for disinfection. What is interesting is that the retrofit was done after the plant was built in 1994. There was a filter support stone retrofit done in 1996. The plant was built using local materials wherever possible. There were 3 slow sand filters, each measuring 20 feet by 50 feet. The filter bed support had a lot of limestone in it. What was happening was that the limestone was being dissolved by the soft water coming through. This was causing problems with operations. They replaced the limestone rocks and then they had a lead corrosion problem. Wright Pierce investigated this and realized that limestone was the key for this system. The 30,000 gallon disinfection contact basin was baffled in 1999 and a limestone contactor was installed for corrosion control.

It turns out that limestone is a 98% pure source of calcium carbonate for pH adjustment in the system. We designed a filter bed to replace the limestone. The operators suggested that we put the limestone contactor in the existing clear well. By baffling the clear well we gained additional chlorine contact time.

After they brought that on line the pH went from high 5's to 7.8 and the corrosion issue was brought under control. Lead and copper levels were under control.

The system is operated to minimize the detention time of the water in the system, in order to reduce the creation of DBP's. They run at maximum capacity for 3 – 4 days a week and then operate at a minimum of 10-50 gpm for the next 3 – 4 days. This is done to improve turnover of storage tanks and to limit water age in the distribution system. What they observed was that chlorine residual was not making it through the clear well during low flow so they increased the feed rate during low flows.

We studied the situation and learned that there are some general principles to prevent DBP formation. The first principle to prevent its formation is to have a clean source of water. Sometimes that

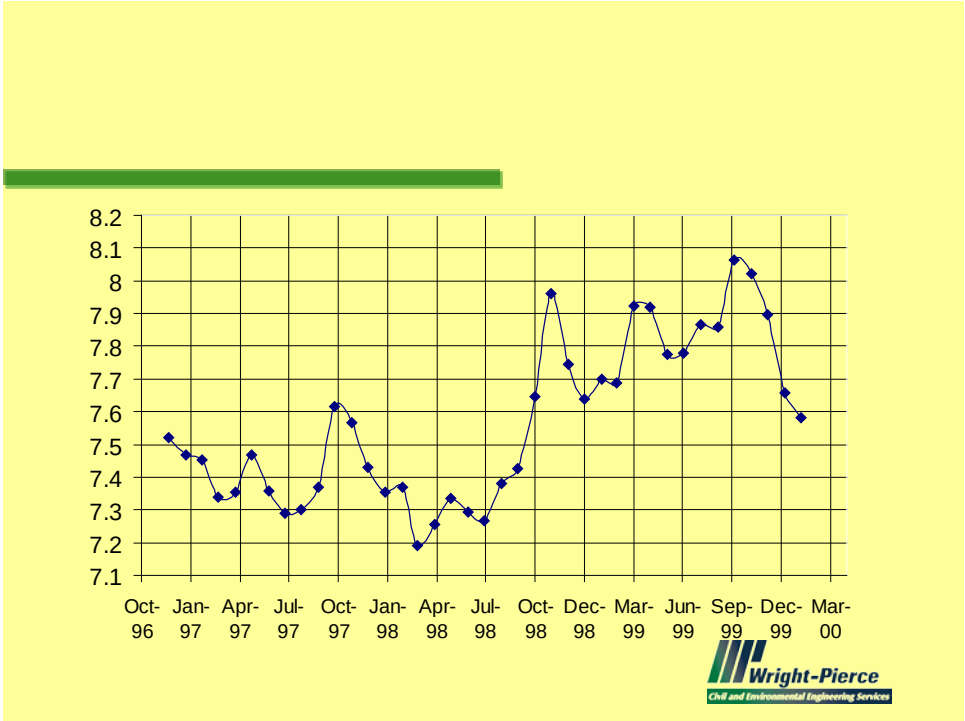
means changing your water source and sometimes it involves changing your intake levels so that you get the best possible water quality. Another part of this effort is to keep all facilities clean of bio film, sediment and tuberculation. Also you might change the disinfectant in some way - not only by changing to an alternative disinfectant but by lowering the dosage or changing the location of application.

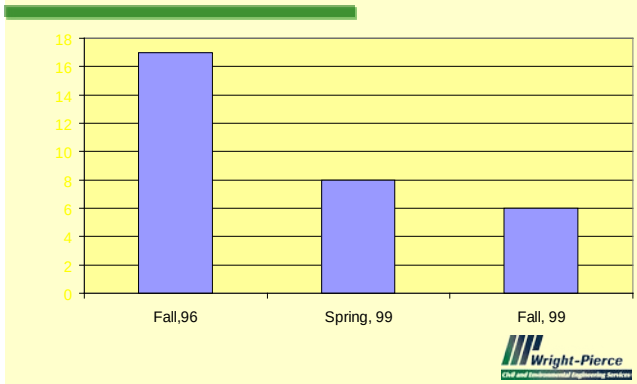
A second principle is that DBP formation is dependent on concentration and contact time. While we want to have increased contact time to increase microbial kill that same time can increase your levels of disinfectant by-product. Making your contact time as efficient as possible, by using baffles for example, you can reduce the time needed and get the water out to the system as quickly as possible. In the distribution system there are several things you can do: store less water during the warmer times of the year, use bleeders, flush, use less chlorine at the plant and then boost it somewhere out in the system.

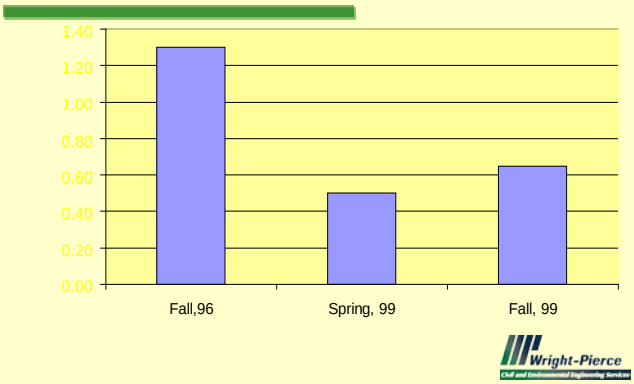
Finally, you can minimize DBPs by controlling pH and temperature. Adjusting the pH after the chlorine contact step will result in lower DBP formation. Managing storage tanks so as keep the temperature as low as possible is effective. Preventing water stratification in the storage tanks by using water, overflowing the tank or discarding the older warmer water is another tool. The use of hydraulic or mechanical mixing, system bleeders, and targeted flushing are effective means of minimizing DBP formation. Don’t underestimate the importance of a stable pH

Mars Hills Treatment Facility

Results of Mars Hill Treatment Changes, Over Time







In addressing the DBP issue we learned some interesting things.

We found that the chlorine residual was disappearing as the water moved through the baffled chlorine contactor. TOC was decreasing through the clear well and contactor. Formation potential was increasing through those basins and we had a slimy orange growth in the limestone contactor. There was also silt around the intake. Apparently we also had aquatic earthworms living in the top of the filter. We also had a moose in the reservoir.

The approaches we used in resolving these issues included:

Raising the intake up out of the silt,
Taking the smaller storage tank off-line, when possible,
Flush the system spring and fall,
Optimize the use of bleeders,
Fill and drain flushing for the limestone contactor,
Backflow the sand filters during cleaning, using the hydraulic rake to assist the backflow so as to flush out the silt and the worms,
Building a sturdy fence to keep the moose out of the reservoir.

Then we got into water blending, which was only a part of the solution for this system. We embarked on a study to locate groundwater as near to the plant as possible so we could keep using this plant. The direction of bedrock lineaments was analyzed and possible sites were indentified. Water was finally located just outside the fence of the water treatment plant. Two wells were drilled.

We made the decision to blend the sources right into the micro screen basin so that it flows with the treated water. There was another reason to blend it with the surface water and that was that this well had antimony in it. Treating for antimony is possible, although not necessarily a simple thing. We chose – and the State allowed us – to blend in order to bring the antimony concentration to an acceptable level. These approaches are working and we are able to manage DBP and antimony levels.

In summary, slow sand filtration is still a workable option for communities requiring low operational costs. Precursor reduction is more than meets the eye. Observation of unusual details is all important in order to avoid setting something aside that may not “fit the pattern” but which may hold the key to what is going on.

I would like to extend my thanks to the Mars Hill Utility District: Frank Kearney, Steven Milliard, Jay Peavey, Paula Raymond, and Bob Lento, for their support and assistance

Industrial Water Use – Working with a Municipal Supplier

Greg McCrum – Best American Foods

Naturally Potatoes is a company that my family owned. About 10-12 years ago a number of farmers decided that the fresh pack industry was not the way to go. We toured the countryside and decided to go into the refrigerated potato business. Refrigerated is totally different than French fries and the dehydration business. I can relate to some of your problems with bacteria, because I think when we first started our shelf life was four days. Since then we have extended shelf life up to 60 days. We make a wide variety of potatoes.

My family started the business with 14 other farmers. We have our own waste treatment facility and are a zero discharge facility. We do make snow. Two years ago Best American Foods, a large dehydration

company, came in and bought our company. They are a family organization based in Idaho and they brought a lot of quality control to the process.

One thing we bring our customers is quality and consistency. We had our own wells that weren't very consistent. We went to the district and started using water from the system. They soon found out that they couldn't supply all our water needs. We run from 150,000 to 350,000 gallons per day depending on what our mix is. We ended up using our well water for our boilers and raw receiving areas and using the town water in all the cooking areas and in the lab. We were having spikes of e-coli in our wells. We do bacteria swabs nightly. This is a daily thing we deal with. If you are cleaning and rinsing equipment with "dirty" water then you no longer have clean equipment.

The district is able to consistently supply good clean water. The pressure at our plant is a constant 90 psi at all times. When we switched to town water it saved our crew two hours a night cleaning due to the constant pressure. This saves us money because that gives us more time to produce a product. We have been on the district's system for 2 ½ years or so and we are using an average of 100,000 gallons of water per day. We are looking to increase this summer. We currently run 5 days a week, 16 hours per day. We will be running closer to 7 days a week, 24 hours per day by November with the new accounts we are getting. It will be a challenge for the town to provide us what we need. As we go forward our cleaning schedules will get need to be tighter; we need consistency. There are only three other plants in the country that supply this product. This is a nice little niche we have here. We have been here for ten years. It's good for the economy. We are glad that the district has been able to supply us.

Energy Management at the City of Saco

Howard Carter

Editor's note: Mr. Carter is the Deputy Public Works Director for the City of Saco and is also Vice President of the New England Water Environment Association. He reported on the City of Saco's Energy Initiative. Much of the information provided here was taken from the City of Saco website.

The City of Saco has formed an Energy Committee composed of a city councilor and five city personnel. This committee's mission is to come up with ways to increase energy independence, look for renewable sources, and investigate means of conservation.

One of their first tasks was to accept "the Governor's Carbon Challenge"- a voluntary program designed to reduce carbon emissions. Committee members also have taken courses and attended seminars to increase their knowledge of related issues so that they may better educate the community they serve.

The first thing accomplished was that the City Council approved $300,000 as a line item in the city budget. Each year an energy audit is done for schools and other public buildings. The city began by replacing light bulbs with CFLs (compact fluorescent lights) and more efficient fluorescent lighting. This project alone resulted in a savings of $11,000 annually - a four year payback period. The next project was to find all the little refrigerators and replace them with more efficient ones. The savings there was $2,200 with a 3 year pay back. All the traffic lights were converted from bulbs to light emitting diodes (LEDs). Also in the works is the replacement of computer CRT's (cathode ray tubes) with flat screen, which consume 90% less energy. These initial projects have saved the city nearly 140,000 KWH per year.

The city has dealt with the ceiling at the recreation center to save heat and went to single stream recycling. There are also plans for an air lock vestibule at city hall and replacement of other inefficient doors and windows.

At the wastewater treatment plant, the city's largest energy consumer, renewable energy technology is being implemented. The Bio-solids dewatering equipment is being upgraded. This has improved the workplace and saved rate payer dollars. It started with a Fournier Rotary Press in 2003 and a FKC Rotary Screen Thickener in 2006 improving operator environment, reducing corrosion problems, ensuring dry work area, containing odors, and decreasing power consumption by 67,000 kilowatt hours. In 2006 a savings of $55,254 dollars was realized over what was spent in 2002.

Other projects have included installation of 1.8 kw windmill to augment power for administration buildings, solar heating for the headwork's building, installation of high efficiency motors and pumps and installing variable frequency drives (VFD) on most equipment. Also included on a project list were plans to use geothermal heat from wastewater to heat and cool the process building, programmable thermostat controls, and various equipment upgrades.

Substantial steps have been taken to reduce energy dependence. The committee along with these projects continues to take steps to educate the public and inspire other communities to follow suit.

Energy Options for a Sustainable Future

Ryan Fonbuena – U.P.C. Windpower

UPC's concern is with ecologically generating domestic electricity through wind farms. Wind energy is clean, safe, and ecologically sound. UPC develops finances, constructs, owns and operates wind farms promoting one of the fastest growing tendencies in the world. They are dedicated to the communities they serve, providing jobs and energy necessary to power homes and businesses.

UPC has developed more than 3,000 MW of wind power projects throughout North America. The business is a sustainable entity looking for an increased demand for the product they provide. UPC Wind Power competes with natural gas and oil as well as combating polluting elements such as green house gases, acid rain, and smog. Their technology is more reliable and self reliant. "UPC is wind farm energy for a cleaner and safer electric grid tomorrow."

The Mars Hill Wind is providing maximum economic and environmental benefits to the local community. This commitment to the community began in 2003 with studies conducted to determine the feasibility of providing energy through wind power.

Today Mars Hill Wind provides a boost to the local economy and a clean power alternative. As reported on marshillwind.com the benefits have included:

-increased tax revenue
-use of leased land allowing landowners additional income and use of their land
-power provided for 20,000 homes per year
-employment of 300 local residents
-use of local companies and services
-reduced dependence on costly fuel
-generation of 143,000 kilowatt hours of electric energy each year
-zero air and water pollution
-reduction in use of fossil fuels; energy produced is the equivalent of burning 280,000 barrels of oil or 76,000 tons of coal per year without toxicity, health or cost
-wind power uses no water and emits no mercury therefore not contaminating rivers and lakes

A tour of the facility followed the lunch break, giving participants an up close view of the operation.

Above: Mars Hill Wind Turbines

AUGUST GOLF TOURNAMENT

It was a beautiful day for the 23rd Annual Clambake Golf Scrambler held August 13, 2008 at the Toddy Brook Golf Course in North Yarmouth.

WINNERS CIRCLE

1st Place Team winners:	Craig Douglas, Alan Frasier, David Giradin, Keith Lavasier
2nd Place Team Winners:	Keith Pomerleau, Paul Morin, Dewayne Taylor, Jan Pilawski
Red Jacket Winner:	Mike Pelkey
Long Drive:	Joe Hersom
Pin #4	5’ 0” - Bob Wyman
Pin #11	0’ 8” -John Donovan
Pin #16	4’ 11”- Dave Giradin

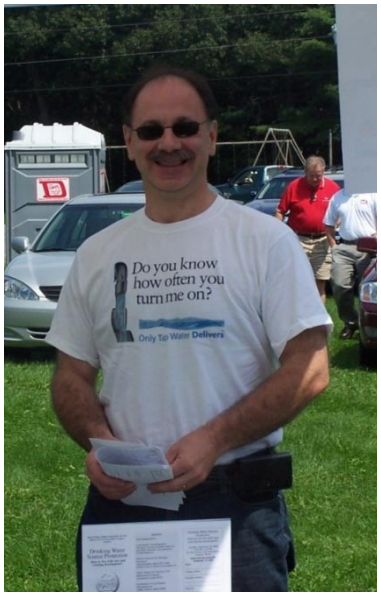
2008 CLAMBAKE GOLF SCRAMBLE SPONSORS	
Verrill Dana, LLP	**Natgun Corporation**
American Flow Control	**Sensus Metering Systems**
AY McDonald Manufacturing	**Ted Berry Co. Inc.**
Camp, Dresser & McKee, Inc.	**Ti-Sales**
Clow Valve	**Weston & Sampson Engineers**
E.J. Prescott Co.	**Woodard & Curran, Inc.**
Ferguson Waterworks	**Wright Pierce Engineers**
Ford Meter Box Co.	
Griffin Pipe Products Company	

Lobster Networking

MWUA's annual down east clambake was held at Thomas Point Beach in Brunswick on August 14, 2008. The annual event offers the water profession an informal day at the beach to take advantage of good eats, good company and good conversation.

Special thanks are in order to the Brunswick & Topsham Water District for securing the site and setting up the facility again this year. Kudos to MWUA's Program Committee for another fine August clambake and golf tournament.

Left: Gordon Johnson, MWUA 2008 President & Congressman Tom Allen



CONFERENCE # 499 **OCTOBER 9, 2008** **KINGFIELD**

Welcome to Kingfield
Gateway to the Mountains

Jon Dill – Senior Selectman

Years ago, Kingfield was a forest products town. We had three mills at one time. Only one mill still operates. In the fifties, skiers were looking for a place to ski and started the Sugarloaf development Company. Sugarloaf has grown from that to what it is today. They are the major employer in the area. Now we have Poland Spring coming to town. This has been a three and a half year project. We are excited about them coming and hope it is a long relationship.

I would also like to comment concerning Poland Spring. Poland Spring has been a wonderful economic boom to the town of Kingfield. We have been able to upgrade the water system and make it a better system because of Poland Spring being in town. As far as the economy, you can talk to the businesses in town. They are very glad Poland Spring is here. They have donated money to the town for needed but unbudgeted items for the wastewater department, highway department, and fire department, making many jobs easier. When they built their plant they worked around a major snowmobile trail, paying for the movement of the trail with no interruption of the activity. They support the school system by providing teaching materials. Poland Spring started the band up again at the high school and sponsored Project WET for district fifth graders. They are also working with high school freshmen. Poland Spring also has awarded four scholarships to students going into a career in science. The company has been a major contributor in many community projects including the area food bank. They work closely with the town. Kingfield has appreciated their involvement and is excited about them being in town. Welcome to Kingfield.

Regulatory Update

Roger Crouse, Director
Maine Drinking Water Program

We have had staffing changes. Bill Johnson has moved on to the DEP and we are interviewing for that position. Our chief engineer position has been filled by Andy Begin, formerly of Wright Pierce. He will be running the SRF program with Nate. I will be phasing out of that. We are also trying to fill a contract position which would involve helping with fluoridation inspections and with security issues.

We have received SRF applications for $27 million worth of projects and we have $12 million available. A fairly firm draft of where the money is going is forthcoming. There will be a public hearing in November. Also in November there is an opportunity to vote to approve the bond that would provide the match for the capitalization grant.

We are continuing to work on some cross connection rule changes. Nate Saunders is heading up a stake holders group that is meeting and providing input. The current policies will be updated. Audits will

be onsite during the sanitary survey inspection. Our cross connection rules are based on containment rather than fixture isolation.

Operator's license renewals will go out in November. In the past we have waived fees for smaller systems through the use of grant funds but those have expired. As a result the small system operators will have to pay the renewal fees.

At the federal level the total coliform rule revisions are a few years away but the process is moving forward. Terry Trott is working on the national level, providing input for the state of Maine.

The Trust for Public Lands Workshop will be held in October. Andy Tolman is working on this. This will help integrate the Source Water Protection Plan with other agencies as they do their planning. Thank you.

Nominating Committee Report

Nominees for Director for 2009 were presented as follows: Don Gobeil of Kennebunk, Kennebunkport & Wells Water District, Jon Ziegra of the Boothbay Region Water District, and Gordon Johnson of the Portland Water District. There were no nominations from the floor.

2009 Budget

It was reported that the 2009 Budget was approved at the September Board Meeting and that if there were any questions they could be asked of a Board Member or Jeff McNelly.

Kingfield Water District History and System Overview

Alan Stewart –Kingfield Water District

I am honored that you would all come here for a day. I am a superintendent of a small system that I am very proud of. I've heard it said that, back in the late 1880's, 300 Italians came to Kingfield and dug a line by hand from Tufts Pond to a small chlorination building on the Kingfield River. I have heard this is true. It must have been a difficult task. We used Tufts Pond surface water for 100 years.

The Safe Drinking Water Act came along; the Kingfield Water District assessed that situation and determined that they just couldn't afford a filtration system. With the help of Brad Caswell they began to search for a groundwater supply. In 1992 he found our current supply. Its great water; obviously Poland Springs believes that also. In 1993 we awarded a contract to a company to construct a well, build a pump station and run a 12 inch transmission line all the way from the West Kingfield Road 6 miles up to the top of the Route 16 hill to a 2½ million gallon reservoir that was built in 1994. The whole project cost $2.5 million.

A $2.5 million project is a huge project for a system that has 400 customers. We are still paying that off. In 1996 we physically cut the line to Tufts Pond. It was bittersweet. We hear people say it was so much better when we were on Tufts Pond and we had fish coming out of the hydrants. I disagree. We have really good water and I take pride in it. In 1997, when I started as back up operator, we had to implement pH control. Kingfield is an outdoor health oriented community, so adding chemicals to the water is a big deal. We took some flak for that. We were on caustic soda for some time. In 1998-99 we

conducted a pilot study on aeration. The results of this study allowed us to cut our caustic soda use by two thirds. We started using aeration in 2000.

In 1998 I started full time. Immediately we worked on a water main upgrade that was half way finished. Completing this and working on a rigorous leak detection program for the next year or two we cut our water consumption by 100,000 gallons a day.

Well head protection is huge for us. We have been purchasing a lot of property around the well head. In 2005 we put an ordinance in place. We got money to replace all the sketchy oil tanks in the well head protection area.

Poland Springs was on our agenda in 2004. That required much of us in the way of time. It has been a great learning experience for us. We worked with our lawyers to accommodate both parties. They helped us get some huge projects done. We also have a right of way through their property. Poland Springs have been fantastic to work with. They have met and exceeded their agreements.

I am very proud of this system. Welcome to Kingfield. Drink our water. It's the best.

Developing a Back-up Water Source Permitting Issues During a System Upgrade

Rob Williamson – Wright Pierce

The biggest thing that Poland Spring needed from the Kingfield Water District was a continuous supply of potable water, at all times, in all conditions - no matter what. It was essential to make this happen. In order to make that happen the district needed surplus supply; they also needed redundant services to the plant. That was not something Kingfield had at the beginning of this project. Obviously, they also needed town public support. There was a lot of support for this. They knew it would help the economy.

Negotiations were the most difficult part. It was a two or three year process. The District had no idea what they were getting into. They had to think about their own needs and how they were going to supply Poland Spring. They also had to think about how they would ensure continuous operation and address the details of ownership of the transmission main. It is a pretty unique situation, to own the transmission line for a private entity. Financial details had to be worked out. Financing for the conveyance system, but also other improvements that needed to be done to support this project, needed to be resolved. There were also many legal aspects that came to bear. To make this partnership happen much was involved. There was broad community support, primarily due to the economy here. Many groups had to work together on the details to bring this to fruition.

In terms of the District infrastructure, the spring water transmission main from the Bradbury well field all the way into town was completely financed by Poland Spring. The portion on Route 142 now belongs to the District. They in turn leased that line back to Poland Spring. They are making money off the transmission main. The District also needed a redundant supply. Poland Spring financed a new redundant well on their existing site as part of the project. It was constructed by the District. The biggest portion of the project was actually funding the upgrade of the distribution system so that they could provide a redundant service to the site. The District reconstructed many mains from 6" to 12" which helped with fire flow and water quality issues and also completed road construction.

It was a $1.5 million project, not including the raw water transmission main. The project was uniquely funded by two sources. They obtained a US EPA grant for half the project, which was petitioned through Androscoggin Valley Council of Governments, because of what it was going to bring here in the

way of jobs. Poland Spring committed to hire within the community as much as possible. They received the rest of the funds in the way of a loan from the Drinking Water Program with 0% interest.

The redundant well supply was a replacement well next to the existing well. It is a 350 gpm supply costing about $150,000. It's a naturally developed well. The project was coordinated by Alan and the Trustees, and was completed this spring.

What were the benefits? What can you take home as a utility that might be faced with this? This is not for everyone. In terms of the water district, they received improvements to the infrastructure, increased revenue, and a new customer. The town received many benefits, as mentioned before. There has been an increase in good paying jobs and significant economic development, which in turn has increased their tax revenue; they gained a good neighbor. Nestle has benefited as well by being in an area where construction costs are not as high as they would be in the south. Without doubt, they gained a lot of positive PR because this project has gone so well.

What are the keys to success if you are in this situation? Number one, there has to be a willingness to cooperate. There were bumps in the road, but there was a commitment by all parties to make this happen. If you have that you have a recipe for success. Obviously, financial incentives help. This was a transparent process involving everyone - community and district wide - from day one. The economics played a big role in this. The financing package helped to bring this together.

This won't work everywhere. Know your bottom line. Know what you expect and keep your customers informed. There were concerns early on that were dealt with and things went on after that. Expect a long hard process of negotiations. This took years to bring together.

Summary of the Bradbury Spring Technical Evaluation – Plant Construction Overview

Andy Bishop & Members of the National Resources Team – Poland Spring Bottling Company

I appreciate having the time to talk about this project in Kingfield. I have been involved with this project for three years, 2 ½ years as a Nestle Waters employee. It has been a great project to be involved in.

There have been 4 major components of the project, the first being the bore holes and pipeline. We have 4 bore hole buildings in the Bradbury Aquifer about three miles from here and 18,000 ft of 10 inch HDPE pipeline that connects to the plant. The next phase is the building and the access road. We added a mile of access road and a bypass lane to Route 27. We also built 203,000 square foot building with 10,000 square feet of office space, and a sanitary wetland and disposal field for our sanitary waste water. We also worked with CMP on an upgrade to the electrical service. This involved a substation upgrade in Farmington and about 12 miles of Route 27 high line was upgraded. This work was done by CMP with research and funding help from Poland Spring.

This plant has been in discussion for seven years. The last three years of those seven have been in concept design. Cianbro and Wright Pierce were the key people early on in the job. We received our planning board permit in October of 2006, followed by a DEP permit. We started construction in December.

Early on in the building concept design we had to determine the right building plant size. Several options were considered. Various designs were proposed of various sizes and 200,000 square feet was the right answer.

We needed to be in the town of Kingfield, and we needed to be on Route 27. The wetland impact drove the plant location within the property. Distance to market is a challenge here; we're a long ways from the folks in Boston and New York City who buy our water. However, we don't have to tanker water in because we're close to the bore hole so that balances things out. We also have the labor force and needed to expand, and this is the right place to do it. We also have existing infrastructure here, as we're on the public water system.

Nestle has built seven plants in the last seven years. We have learned something from every one and incorporated this into our projects. I have learned that one of the most expensive things is to do something wrong. Learning from past mistakes is one of the things our engineering team does best. Kingfield Water District has been a key partner. We have been working with them since early on in the project; they have been a great partner both in the legal sense and in the execution of the project. The town's Code Enforcement Officers have also been involved, and all the work has been very transparent and available to the public. With their trust we were able to move along. Wright Pierce has also been involved in the plant design in cooperation with the Water District. We couldn't ask for better civil site water design folks. Cianbro was the designer/builder, and they did a terrific job. They are the largest construction firm in Maine, and we can see why. What is unique is that Maine sub contractors represent 70% of the costs here. We were able to use many Maine contractors on this project.

Construction kicked off in December. This could have been a sob story but it's not. We had the mildest winter in recent memory and got much further than we expected, only shutting down 20 days that entire winter. We did have to move some snow, but all in all, the winter of 2006/2007 was a great winter.

Months went into the planning and construction of the tilt up walls, and in six days they went up. It was like an orchestra. These wall panels weigh up to 800 pounds.

One of the comments we had during the planning board process by a nearby landowner was questioning why this beautiful facility was being built and then "hidden" from the town. The facility does look great.

Erosion control is always a challenge. We had a third party erosion control inspector come every week. We took pictures and posted them on our web site so DEP could have a look at what we were doing. This transparency in construction kept folks involved. We were not trying to hide anything here.

We worked with the Town of Kingfield for our waste water disposal system, setting up a TIF agreement; and they are going to break ground Monday on a waste water plant. That will take care of our relatively dilute low volume of process waste water.

The LEED (Leadership, Energy, Environment and Design) certification process is something that Nestle invests a lot of money in. It insures that the buildings are state of the art and environmentally sound. It was a huge challenge. You have to educate your sub contractors on what it means. You have to keep checking along the way, because it is possible to get too far down the road and discover that you have used the wrong materials.

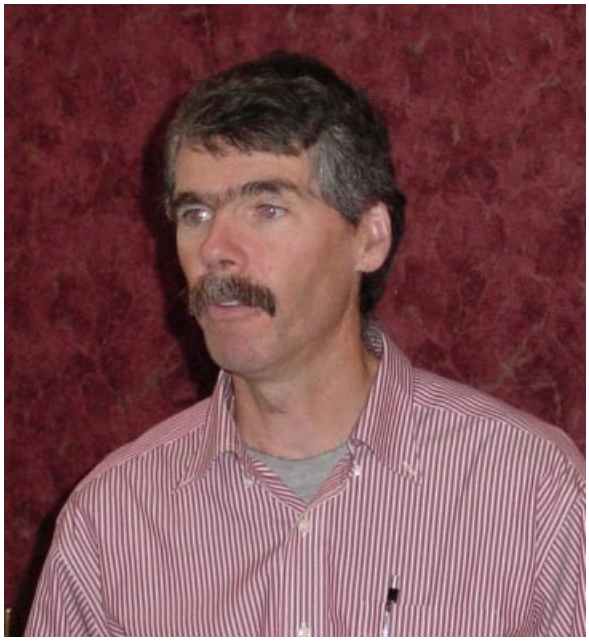
We definitely stressed the local concrete plants, and that was tough; but we just scheduled around it. Rain and snow days were also a challenge, but we only lost 25 days overall.

We are now working on line installation. We have two high speed bottling lines, each of which produce 1,050 bottles per minute. We use an 800 hp high pressure compressor, which is our largest power use. We store the spring water in two 60,000 gallon silos. We have unique equipment here. We have designed this plant for expansion. We had some challenges from the line installation standpoint. Some equipment was relocated and coming in before construction was complete. One of the advantages is that we learn from other plants. We want to stay efficient to stay in business.

We have developed local support in skilled labor specialties. Sometimes we do bring in outside help when needed.

In closing, I will speak to scope, budget and schedule. In terms of scope we have this waste water plant being built across the road that will be a huge benefit. Budget wise, this building is one of the most expensive buildings that Nestle has built, primarily due to the location. However, the bottling line is one of the least expensive installations they have had; this is due in part to things we have learned from other installations. We're on schedule right now. We have done our first orientation, and we are ready to get

things started. By the end of these three phases well over 100 engineering, construction and design firms are going to be involved in this job. Six hundred people have spent a substantial amount of time on this job. A lot of the people that have led this effort are very excited about it. A primary motivation has been the development of an economy in a rural area. That is what has happened here. Thank you, we look forward to showing you the plant on the tour this afternoon.



Aquifer Development

Matt Reynolds – Drumlin Environmental

This Poland Spring source is in a 36,000 acre watershed and a 7,000 acre mapped sand and gravel aquifer. The annual groundwater recharge equivalent is 44 MGD (27 MGD in a drought). The Kingfield Water District uses 0.07 – 0.12 MGD (0.3%). Bradbury Spring Production would be 0.55 MGD (1.2%). The West Branch of the Carrabassett River that runs through Kingfield brings 50-100 million gallons per day through the region.

We were asked early on as to whether we were going to take all the water away. We want to put this in perspective for people, relative to the amount of water that is available.

The spring evaluation took place from 2003-2006. Springs were first identified in 2003. We did geophysics, test drilling and so on. A monitoring network was developed that included test wells, streams, springs, and surface water. There is a lot of monitoring incorporated into the project. There were 5 aquifer pumping tests that were conducted over time.

We did geophysical testing to determine sub surface high yield zones. Within the aquifer there are more or less permeable zones, so it wasn't as simple as drilling a hole to find high yield. We are not using one spring; it is a complex of springs. There were test wells installed first in order to check into any water quality issues that may have existed from the land's prior use as a farm. Once the water passed that test we began to look at it from a hydrogeological point of view. The spring water business different than the public water business in that the place you take your water from has to have an interconnection to the spring itself. Your bore holes must have an influence on the springs, i.e. they have to be in the right place.

From a water resource point of view we knew that we needed to protect the West Branch of the Carrabassett. How much we might diminish the flow of the West Branch was the early question. Bore hole pumping was localized to see how they would interact with each other. Part of the concern from the local perspective was how this activity was going to affect the water district and all the surrounding wells. A monitoring network was established relating to test wells, surface water evaluation, spring flow, stream flow, and wetlands. We wanted to gather data to see if there would be a conflict. We worked closely with the district to see if these two uses could coexist. Extensive testing was conducted.

We pumped the bore holes and rated them for yield. We established the connection to the spring. The effect was localized around the well with no effect to other wells or the neighbors or the Kingfield Water District. We also measured stream flow in the West Branch and small tributaries so we had this data making sure there was no effect out in the river. One of the reasons for four bore holes was to give us a management tool that would allow us to spread out and maximize withdrawal. If not we would have a greater effect on the springs. The permitting process is pretty detailed. We submitted all the data to the DEP. The DEP and the district were involved in this review process. Ultimately the site was permitted for a maximum of 200 million gallons per year. There is also a local permitting process. The town, during this time, adopted a Water Withdrawal Ordinance. We had to get a Planning Board permit; they also set

withdrawals. They were the ones that drove the monthly and daily limits. As part of the permit there is ongoing monitoring. There is a requirement to maintain the spring flows. We monitor water levels on a regular basis and monitor streams and spring flow on a monthly basis. It is important for the public to understand this. Data is used by Poland Spring to help optimize withdrawal.

We used a groundwater flow model. We were looking at groundwater and surface water interaction. When we started, we assumed the goal was to make sure withdrawal would not reduce flows in the West Branch of the Carrabassett. What came to pass was that the DEP, under the new surface water flow rules (Chapter 587), wanted to make sure that we sustained flow in the tributaries that fed the West Branch. We had to then look closely at this. We negotiated with the DEP to come up with a proposal that didn't include just the West Branch but the confluence of these small feeder streams. Under Chapter 587 a proposal has been accepted by the DEP that establishes minimum flow criteria at this confluence location and has to be maintained on a monthly basis. We are taking spring water from a broad area so that is where we need to monitor.

We have four bore holes that were permitted and are now operating. We are not having an affect beyond the springs.

Individual boreholes yielded from 180 to 365 gpm. Pumping established a connection to the springs, but the spring flows continued. Water table changes were focused within a few hundred feet of the borehole. The conclusion was that there was no effect from the pumping measured at wells on West Kingfield or Christen Roads. No effect was measured at the Kingfield Water District Well, and no effect was measured along the West Branch.

Site wide monitoring is on going to ensure there are no adverse effects, to aid in the operation of the boreholes and for modeling evaluation. Data is shared with the Kingfield Planning Board and Maine DEP, as required in the permits.

Ongoing evaluations include a ground flow model and bio-monitoring of wetlands and streams. Monitoring data and the model were used to develop minimum stream flows under Chapter 587.

The conclusion of the spring evaluation was that four spring water boreholes were indentified, tested and permitted. The average annual withdrawal is 1.2% of the sustainable aquifer recharge. It was determined that the borehole pumping effect was localized around each borehole and spring. The data from the extensive monitoring program guides withdrawals to protect existing water resources: groundwater supplies, springs, streams, and wetlands.

CONFERENCE NO. 500 **DECEMBER 4, 2008** **ALFRED**

500th Membership Meeting

Welcome to Alfred

John Sylvester, Town of Alfred, Board of Selectman

We appreciate you coming to Alfred. The town of Alfred was incorporated in 1794, and I've been a selectman since the day before that. This building was built in the mid 1880's and has served us well as our Town Hall. This is a town of about 2,700 people. We are the charter town of York County. County facilities are housed in our town, and they are our largest water district customer. We have a town meeting form of government. We have our own water district that has seen growth and improvement. This has resulted, among other things, in a substantial

decrease in leakage due to upgrades that have been put in place. Hats off to George and others who have helped with these upgrades. We have a good infrastructure that has provided for the needs of the customers for quite some time.

One of the things that I have learned working with municipal officers is that the strength of a community is people like you that make this state work. You do wonderful things to enhance the quality of life in this state. It is pretty remarkable. Our future is all the people sitting in this room. I applaud you all and welcome you to Alfred.

Alfred Water District System Overview
George Dugovic, Alfred Water District Trustee

We are a new district created by the legislature in 2000. Alfred Water Company was started in 1911 by a group of local businessmen, entrepreneurs, and civic minded individuals who pooled their money to start providing public water and fire protection for the center village of Alfred. They paid $200 a share. It is amazing to look at the old records and what was accomplished in one year. The Historical Society said, when asked how all of this was accomplished, that Italian workers from Boston were brought in to work. The entire infrastructure, prior to 2000 was inventoried from that year. These businessmen were rarely paid a dividend. When the county of York wanted to build a new jail, and the necessary infrastructure needs were identified the investors said there was no way they could pay for that and decided to sell the company. They approached several companies for the sale and ultimately ended up selling the system for a dollar, to the district.

Originally, there was a tap that delivered public water to customers for fire protection and drinking. In the 1950's they invested in something more sophisticated. This served until 2002. Unfortunately, there was a drought and the well with the 6 inch suction could not keep up with what was required. We then needed to restrict water use, and we needed to drill new wells. Unfortunately, the strata they were drawing from had unacceptable levels of manganese and iron; so we built a purification plant. The people at Sanford Water and Norm Labbe at KKW were very helpful in getting started. The 1911 reservoir was leaking and was serving as a swimming hole for the local teenagers. A cover was put on and a screen installed on the overflow. When the District was first created I served as the Operator.

Currently Alfred Water District consists of 6 part time employees; three of those employees are trustees doing a variety of tasks. Alfred Water District presently serves 280 customers. We have recently installed 3.9 miles of main in 8 years plus the storage tank. It is designed to provide freshly circulated water. We borrowed $3 million to upgrade the system. Alfred Water Company had the lowest rates in the state, but that's not true of the Alfred Water District. Rates went up 200%, but customers have never contested a rate increase; and that's much to their credit. I also credit the Trustees for communicating effectively. The Town has done a lot of good things for the district; the first action was getting the Legislature to create the District. We didn't start operating the system until June of 2001.

It has been interesting and challenging. Thank you for your attention. Please move to Alfred and become a trustee.

Regulatory Update

Terry Trott, Operator Licensing Officer
Maine Drinking Water Program

To begin this update the NSF/ANSI standards have been updated as of June 30, 2008. Any chemicals and components that come in contact with drinking water must be certified to meet the applicable standard. This also applies to repackaged chemicals as of June 30, 2009.

By the end of 2009 most labs will be required to submit data electronically. It is the utility's responsibility to ensure that the data reaches the Drinking Water Program.

In November voters approved $1.7 million for the 2009 DWSRF State Match. Maine will be able to access $8.5 million in federal funds. We have received over $27 million in requests for the $13 million available. Grants will also be available to small systems that wish to consolidate with larger systems. There is $300,000 available for consolidation in 2009. There are still wellhead protection grants, capacity development grants, and land acquisition loans. Sara Lippert is the new Capacity Development Coordinator. She can be contacted for information on these grants or security issues.

We are following an economic stimulus package. It is anticipated that this will pass in January or February of 2009. The current estimate is $1 billion for Drinking Water and $6.5 billion for Clean Water nationally. This would mean approximately $10 million for the Maine DWSRF. This may be in the form of zero interest loans and may not require matches. The highest priority will be based on a readiness to proceed. If you have a project within the scope of an environmental review that has already been done, those reviews are good for five years. Things that are being done in conjunction with road construction will also be a priority. You must be ready to enter into a loan agreement by July 2009, and construction could start earlier than that. All projects on the current back up list must reapply or submit additional information in order to be eligible for this stimulus package. The application deadline will be approximately two weeks after the President signs the legislation. This is all assuming that this will happen.

The Groundwater Rule will be coming in a year from now. It will require testing "at risk groundwater sources" for "fecal indicators" to reduce the risk of pathogens. All of Maine falls into the category of "at risk groundwater". Routine TCR sampling will serve as both "Assessment Monitoring" and as a means for initiating "Triggered Monitoring". If there is a positive test for fecal indicators then five additional fecal indicator rechecks must be taken for each positive groundwater source sample. If you end up with fecal contamination at the source you will have 120 days for corrective action. Results of the sanitary surveys can also trigger corrective action. There will be more information forthcoming.

Under the Long Term 2 Enhanced Surface Water Treatment Rule Schedule 3 systems will need to complete Crypto monitoring by March 2010 and determine their Bin by September 2010. There will need to be treatment installation by September 2013, and the second round of source monitoring begins in October 2016.

Schedule 4 systems began monitoring in October 2008. Most systems will finish monitoring in September 2009. Cryptosporidium monitoring will begin in April 2010, with treatment installation required by September 2014. The second round of source monitoring for these systems will begin in October 2017.

For the Stage 2/DBPR the Schedule 3 systems began IDSE monitoring in October 2008, and the IDSE reports will be due in January 2010. Stage 2 compliance monitoring begins October 2013. For Schedule 4 systems the IDSE monitoring begins in April of 2009 with the IDSE report due by July 2010. Stage 2 monitoring begins October 2013.

The Cross-Connection rules are undergoing an update. Meetings are scheduled for January at the DWP office. These rules were written in the 1980's and took in a lot of things. We're looking at the scope of drinking water rules being containment, and the internal plumbing code should deal with fixture isolation. It has been proposed that the rules apply to any public water system with a high hazard service connection and to

have containment devices tested at least annually. The rules will also contain what a program needs to include and will also redefine "hazards".

Approved backflow prevention devices will be those approved by the plumbing code. Water suppliers will review and approve cross-connection applications. This function has been moved from state to local control. Specific fixture exemptions have been removed; see the plumbing code for that.

Chapter 353, which passed in 2007, strengthened the network of source protection, requiring all state agencies to consider water supply protection in their decision making. PL 569, which was passed in 2008, improved water supply protection for managing above ground storage of hazardous materials and petroleum. Last fall Maine received an EPA/Trust for Public Lands Technical Assistance Grant to help us implement these new laws. There were three grants nationwide and we received one of them.

Chapter 587, the new DEP regulations on flow and water level, will also involve the Drinking Water Program and will engage the larger public water systems, at least initially. PL 399, which included Bulk Water Transport amendments and 'significant groundwater well' regulation, along with a Water Resource Planning Committee, was enacted in 2007.

There are only about 20 systems that are currently taking samples for UCMR II with additional systems beginning in January. Call your compliance officer if you need information.

There is no longer a fee waiver for operator license renewal. There is a 60 day license renewal grace period which ends March 2nd. There will be a $50 reinstatement fee for a total of $110. At this time anyone who has not renewed their license is considered inactive, which means that you can't be in responsible charge and the system will be notified that they are not in compliance. Operator licenses will be inactive for two years, and then they expire. There is no safety training cap on the TCH's, but all safety has to be relevant to water quality, water supply, protection of public health, or operation and management of a public water system.

We have 1,204 licensed operators, 50% of which need to be renewed this year. Three hundred are very small water system operators. Maine has a 96% compliance rate with systems operated by licensed operators, which is one of the highest rates in New England.

Cyanide testing has changed. There will be two sample bottles. The first bottle is used to dechlorinate. It is then poured out into the second bottle and sent to the lab. Also, the WARN committee has accepted an agreement in principle and they are ready to sign on systems. This is an example of small town Maine helping each other out. Thank you.

Business Meeting

Honorary Member status was awarded to Shirley Churchill and George Peters. Shirley had a long career at the Augusta Water District as Administrative Assistant. She continues her involvement with the profession as she currently monitors legislation for the association and the Maine Wastewater Control Association. Peters, who started his career in Eastport working for General Water Works, has served as Superintendent in many communities. He retired from Consumers Maine Water Company (now Aqua Maine, Inc.) in 2000.

Above: George Peters and Shirley Churchill receive honorary member status

MAINE WATER UTILITIES ASSOCIATION, 2009

Committee Reports

Education & Operations Committee

Craig Douglas, Co-Chair, Brunswick Topsham Water District
Dan Wells, Co-Chair, Winthrop Utilities District

We are happy to say that the Education and Operations Committee has made significant strides in 2008. With our current make up of members with diverse interests we have been able to pull off some well attended classes in 2008. One of our primary goals for next year is to continue to focus on the needs of operators within the state. To meet this goal, the committee continues to use the operator forums. Forums continue to provide an open format where operators are encouraged to share experiences and discuss techniques for solving problems. Forums held in 2008 included Service and Meter Sizing, and Department of Labor Safety Requirements. The next forum is slated for the end of January at KKW and Searsport, continuing the Department of Labor Safety Requirements.

As in past years, the June Office session was a big hit with the office staff. Once again the committee will be planning a session in 2009 at the same locations. The topic is still under discussion by the committee.

The committee will put on an afternoon session on operator math in February at the annual conference and will continue to provide training to association members throughout the year. Some of the training for 2008 was done in partnership with NEWWA, JETCC and the community colleges.

Looking towards 2009 the committee is hard at work developing engaging, interactive classes. In addition the requirements for training at the Drinking Water Program are a little clearer, and we are striving to meet all of the required standards for the new year of training. We are continuing to strive to make the topics relevant for junior or senior operators and to develop and present the topics in an excellent fashion. We will continue to tap the knowledge base of the Maine operator and to encourage opportunities for operators to learn and network with their neighbors through the operator forums. Some of the proposed topics are Fundamentals of Water System Hydraulics, Ethics & Drinking Water System Operations, CUPPS, Blueprint Reading, and many more. One thing that the committee is committed to doing, as we move forward, is planning more sessions to reflect information gathered in the operator forums. As always, the committee welcomes training topics and ideas for future sessions.

Public Awareness Committee

Mary Jane Dillingham, Co-Chair
Auburn Water District
Kirsten Ness, Co-Chair, Portland Water District

Members of the committee include Julia Coes Couture of the Bath Water District, Heather McBean of Poland Spring, Beth Pratte of the Drinking Water Program, Gary Stevens of the York Water District, John Storer of Auburn Water and Sewerage Districts, Madeline Storer of Aqua Maine and Brian Tarbuck of the Greater Augusta Utilities District

Committee accomplishments were many. A new MWUA Scholarship was established. The goal is to award $1000 to a high school graduate interning at a water or water & wastewater facility who is enrolled in secondary education.

At the Children's Water Festival in October at the University of Maine, Orono committee members had an exhibit on how to test drinking water for bacteria – special thanks to Julia Couture, Scott Kinne, and June Mooney for staffing the event, Gary Stevens for artwork, and Dina Page and IDEXX for materials.

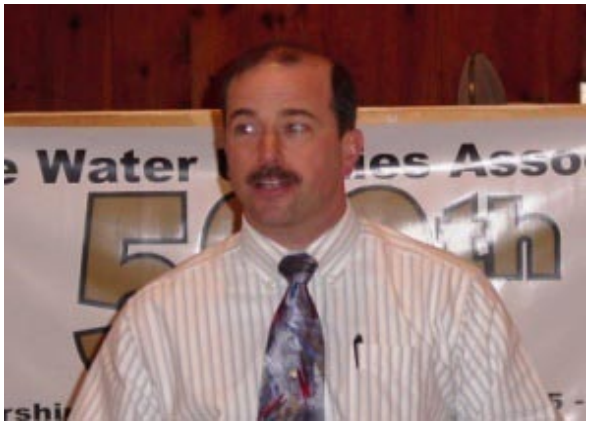
At the Maine Water Conference committee members staffed the MWUA booth. There were MWUA website upgrades which make it easier for utilities to get information regarding meetings, trainings, contacts, hot topics, and committee information.

Revisions were made to the Photo Contest & Rigs/Gigs Contest. The Rack Card was revised as well. In addition there is a new Bookmark which we will be handing out at the tradeshow.

Plans are in the works for a 2009 newspaper insert, consisting of 8-12 pages. It will be distributed in the major newspapers throughout Maine during Drinking Water Week in May 2009. It will be authored by association members.

Future goals include scholarship fund drives at the February Trade show and other events, the Children's Water Festival in May 2009 in Portland, and the staffing of a booth at the Maine Water Conference meeting in the spring. The MWUA Website will continue to improve as directed by the Board, a booth will be staffed at the tradeshow and the success of the newspaper insert will be evaluated, in consideration of doing another issue.

Thank you to all the committee members for being active and committed. Thank you to Becky Martins for all the work she does to make this committee successful and thank you to Jeff McNelly and the Board of Directors for their support and direction.



Legislative and Regulatory Affairs Committee
David Parent, Chair, Sanford Water District

Overall we had a very successful year. There is or will be a legislative summary at the front of the Journal; those who are interested in the details should read the report, I will be giving a general overview of how things went.

I'd like to start by thanking the committee members and all who made calls to legislators and regulators when asked. This is our strength; it is what makes us effective in the Legislature. Legislators listen to their constituents and genuinely enjoy helping when asked.

Special thanks Shirley Churchill, Becky Martins, and Jeff McNelly who are the workforce behind the committee.

LD 2169 – the State Revolving Fund Match: We were successful in putting a bond issue on the ballot to fund the 2009 SRF match for both drinking water and wastewater. This was the first time we have been successful in funding the SRF independent of the Governor's bill. It was a huge victory for both our association and Maine Waste Water Control Association. The bond passed only by a slim margin (3,000 votes), which should send a strong message to Augusta that it is time to stabilize the funding for this vital program. Passage of an environmental bond is no longer a given.

Property Taxes – we had a couple of bills that dealt with taxes, both were converted into resolves to review and recommend changes to the coming legislature. We will be following both efforts as they move forward.

Sustainable Water Use – it is my pleasure to report that others will be giving future updates on this issue, as it has moved into the water resources arena. The Legislative Committee has and will continue to follow the implementation of regulations.

DEP/DWP Consolidation – Last year's budget asked that consolidation of natural resource agencies be explored, and moving the Drinking Water Program to DEP was one of the concepts that were looked at. After much political wrangling, most of it done behind the scenes, it was decided that the Drinking Water Program was best left in the CDC. This is one of those perennial issues that just never seem to go away; our members are often split on the issue, which makes it difficult to deal with. Last word I received on the issue is that the agencies currently being looked at for consolidation are IF&W, DOC, Marine Resources, and the Department of Agriculture.

LD 2182, An Act to Allow Civil Penalties for Damaging Utility Property or for Theft of Utility Services, was passed. This bill was submitted by the Portland Water District after finding several instances of theft during their meter replacement program. It allows for damages and stolen services plus 5% interest, and

up to $2,500 penalty. The first case involving this new law was filed by the Boothbay Region Water District, specifically your new Director Jon Ziegra, who has promised to let us know how it goes.

LD 2073, An Act to Prevent Contamination of Drinking Water Supplies, was passed. This bill was submitted by the DEP in an effort to help prevent spills from above ground storage tanks that cost the State millions of dollars to remediate. The bill received strong opposition from the Maine Oil Dealers Association, MMA, and the realtors. Much of its teeth were stripped from the bill, but it was passed and does provide for some significant protections. Jeff is much better versed in the final language; I'll direct any questions on this to him.

Boat Launch Strategic Plan – MWUA put forward a white paper on the siting of boat launches in response to a request by the Department of Conservation. The white paper was not well received by George Powell (the DOC boating facilities manager), to say the least. We do not feel that we will get the protections we need in the strategic plan process, and intend to submit legislation in the next session.

The Quiland vs. Kennebunk Kennebunkport Wells Water District Law Court Ruling was interesting. I am not going to attempt to explain this ruling, but will simply say that it means your metering policy needs to be filed with your Terms and Conditions, or it may not be enforceable. There is a great article in the current newsletter on this; I encourage everyone to read it. The committee will be seeking advice on what action the association should take, if any, and will proceed accordingly.

With the current economic crisis and budget shortfall, the next Legislature will have a very full plate. It is likely that these issues will consume much of their time, and they will have little appetite to deal with much else. Unfortunately, I am sure they will find the time to cause us an adequate amount of frustration before going home for the summer.

We expect to once again be facing some form of groundwater extraction legislation coming from those opposing bottled water. We need to closely watch and follow this issue, as it carries serious consequences to us as an industry.

There are a couple of efforts underway that deal with funding water and wastewater infrastructure, with the sunset date of Clean Water SRF only a couple of years away, and Drinking Water SRF 10 years out. One looks to commission a study of the long term sustainability of infrastructure funding, exploring alternative funding sources and other issues. The other simply looks to advocate directly for infrastructure funding through fees and other means in the coming legislature, similar to the effort that was made during the last legislature to fund transportation infrastructure. We will be following both proposals over the coming months; hopefully something good will evolve out of these efforts.

We will also once again be submitting a bill to fund the SRF match; hopefully inclusion in the Governor's package will make our bill unnecessary.

Water Resources Committee Report

Paul Hunt, Chair, Portland Water District

The theme at the Second Annual Source Water Protection Seminar held in September was "how you can live with new and existing development." There were more than 80 people registered. We reached out to municipal interests and had some attendees from that arena – in addition to the stalwarts from the water utilities. The response (based on evaluations) was very positive. We have started the preliminary discussions around the third annual seminar, which will take place in the fall of 2009. If you have ideas for topics, please e-mail them to me or anyone else on the committee, and we will consider them.

The committee prepared a white paper on siting of boat launches. The State has convened a group of agency representatives to revise the "Strategic Plan for Providing Public Access to Maine Waters," headed by George Powell of the Department of Conservation. He asked MWUA to submit a scientifically based justification for siting criteria to be used to justify siting or not siting a boat launch near a public water supply intake. The committee provided that, and it was approved by the Board and presented to Mr. Powell. You can

read it on the MWUA website. It essentially says that the state should not fund new boat launches on waivered lakes (except Sebago), should prioritize non PWS lakes over PWS lakes. If a launch had to go on a PWS lake it should be 2 miles from the intake, and if it couldn't be 2 miles from the intake, the PWS and DWP should sign off on the site; and it should be designed and operated to minimize impact. It was not embraced by Mr. Powell, apparently, but we stand by the science and the public policy it describes. It may be that the Legislative route is the way to go – though I would defer to my colleagues on the Legislative Committee.

The Committee is preparing comments on proposed plumbing code changes. During the year we learned that the Maine CDC Plumbing Control Program was proposing changes to the Plumbing Code. The changes were submitted by a Task Force organized by MASE – the Maine Association of Site Evaluators. We asked the Plumbing Control Program for the rationale for proposing the changes. We learned that because the Task Force submitted them the Plumbing Control Program inserted them into the Rules and would see if there were objections brought out during the public comment period. Our committee considered the rules from a public health perspective and recommend the MWUA oppose some of the changes. The most important ones would, in effect, open up lots near lakes, which under the present code are undevelopable or can only support minor expansion of existing buildings. For example, the rule changes would lessen the separation required between the ground surface and the "restrictive layer", which is often the top of the seasonal water table. This will, in effect, allow homes to be built in low-lying areas of wet soils. Allowing this will result in not just the system but a building, driveway, walkway, etc. All of these things could impact lake water quality. It's important to note that the Plumbing Code defines a malfunctioning system as one which is breaking out at the surface. If you are drinking water from a lake you may consider it a malfunction if a system is polluting ground water, and that groundwater discharges to the lake.

Program Committee

Jefferson Longfellow, Chair, Kennebec Water District

I would like to begin by thanking the following committee members: Rick Anair, Greg Cataldo, Steve Cox, Chris Curtis, Nathan Johnson, Stephani Morancie, Ben Mosher, Keith Pomerleau, Beth Pratte, Bruce Stevens, Mike Broadbent, and Frank Kearney.

It has been a very successful year, starting with the December meeting held in North Yarmouth. The training sessions included HDPE Technology, Incl. Directional drilling, and chain saw safety.

The 2008 February Meeting & Trade Show in Portland featured several sessions. These sessions included: MWUA sponsored Energy Efficiency, and Filtration Basics & Operating Experiences, as well as NEWWA sponsored Preparing & Responding to Water Quality Complaints, and Water Storage Tank Operations in Maintenance. Afternoon Break-out sessions included: Infrared Vibration Analysis, GIS Case Studies, Advances in Disinfection, and a Trustee Session. There were also Technical Modules with topics such as, Leveraging GIS, SCADA, and History and Maintenance of Today's Fire Hydrants

The sessions presented at the April meeting located in Skowhegan were Restructuring at the Drinking Water Program and Surface Water Supplies- working with other users.

The June meeting of the MWUA hosted in Island Falls offered the following training, Incremental Approach to Meet the Newest Regulations and Expanding Industrial Use with the Municipal Water System.

The weather cooperated for the 2008 August-Clambake/ Golf Tourney. The golf tournament took place at Toddy Brook, North Yarmouth for the third year in a row, with a total of 80 golfers.
There were about 460 meals served at the Clambake.

The October meeting in Kingfield featured Ground water and Groundwater Development as well as Two Very Different Community Experiences- Kingfield vs. KKW.

As for the upcoming year of 2009: The Trade Show will be held on February 10th &11th in Portland. Tuesday will include two MWUA sessions: Distribution Operations in the 21st Century and Innovations in

Analytical. NEWWA will be partnering with us again to bring two sessions: Centrifugal Pump Management and Preparing for Sanitary Surveys. On Wednesday there will be a Water Works Math Class as well as an Infrastructure & Energy Mini Conclave.

We are looking forward to the upcoming 2009 MWUA meetings. They are scheduled as follows: April 9th –Richmond, June 10th & 11th -Brewer , August 12th & 13th –Clambake, October 8th – South Paris, and December 11th – Kittery.

Building Relationships with the Media and Your Public

Michelle Clements, Public Relations Manager, Portland Water District

When I was asked to talk about media relations I felt we needed to take a step back and take a look at where our industry is today. We're at a critical place with our aging infrastructure. At Portland Water District we are dealing with these issues, which have led to rate increases. Looking at our industry in context with media relations, we need to build relationships with our media so that they are there when we need them in the future. Relationships with the media don't necessarily guarantee us positive press. Rate increases aren't good news for our customers. Sometimes, our job is just to get our message across. The media can help us increase the value our customers put on our services. They can help us make our customers better understand our needs.

With any relationship you need to know a little bit about the person, who they are, what they are about, and how to work with them. A quick overview of the media - the media is not out there to put our flowery press releases in the paper to get our message across. They are in business to make money. If they don't make a profit they don't survive. They do this through ratings. Advertisers want to send their message to more and more people. They get these ratings by putting out news that grabs attention that sells and captures readers. That is their main goal: to provide exciting, entertaining, attention grabbing news. 54% of Americans get their news from the local newspaper. A Gallup poll stated that 50% of Americans believe what they see in the news. We have to realize that media does influence our customers. They can be a great asset in helping us, as long as we know how they work and how to work with them.

They do control many of the aspects of the news, what is news, what is produced and aired, and how long it is. We can influence that. We control where the interviews are, and what is said. It has been changing, newsrooms are shrinking and downsizing with the increase in alternative news, social networks, Facebook, You-tube, and internet blogs. People get their news from all over. I have noticed, working with the television stations, that you don't get a reporter and a video photographer anymore. Lots of times they will air something without talking to us, or they send video journalists who do it all. They run the camera and interview and produce it. They do a lot more with less.

The typical journalist can be biased. They are people with their own opinions. They want to produce news that sells. They are pressured with deadlines and issues around downsizing. Journalists do a variety of tasks; they may even be delivering papers. They usually know nothing about our industry and are not interested in all there is to know. They feel they are doing a public service in a watch dog role, providing the public with information they need to know. The bottom line is that we need to make it easy to produce an accurate news report. We need to provide concise information, preferably in written form free of jargon.

An editor from the Portland Press Herald gives the following advice:

"What we get in the paper depends on many things - including how many people we have at the paper that day. That determines what we can cover. It also depends on the day or week and what other

news events are happening. Pick the time you decide to pitch a story. There are central things we look for in news stories and some integrity in the process. There are four general categories of what we look for in stories. First, would be news - something new or unusual: firsts, lasts, biggest, or most. One other element is how many people are affected by the story. Will it change how they work or how they get to work, how they think for example? Those impacts of stories are what we look for. I find more and more that it's important to look for stories that will entertain. We're looking for stories that are interesting or unusual that will connect to readers on an emotional level. We like moral dilemma stories. Stories that make readers think. Another story that goes in the paper many times is the 'news you can use' kind of stories. The basic idea is that the public has a chance to get involved. We make sure that it has broad interest. Generally, those are things we are attracted to. We also do stories that help people understand; that means they take events and issues and put them into context. They deal with the future and how it will be affected by these events. Many of our Sunday stories are these kinds of context stories. When you pitch a story, the more you can help an editor understand the story's relevance the better. Help us to understand underlying issues. Keep in mind your target. We cover Lincoln County to the state line and west to Bridgton. If you are outside that area we may not be interested. The time of the event is also important. One thing that would make us shy away from a story is if we feel it is a promotion. Perhaps, it would be better to place an ad. Another thing that doesn't do well for us are ceremonial things: ribbon cuttings, etc. We would rather get into the story at an earlier point.

When you are sending mail or calling the newspaper, think of who you may need to talk to. You can't take it for granted that different editors will be communicating with one another. We would see if a story fit our particular needs as an editor. Choose the department you contact or send the information in written form to more than one editor. Think about the timing. Get the information to the paper in time for editors to deal with it. In the end, don't get discouraged, keep us in the loop."

Continuing on, we need to keep in mind what is newsworthy. Some elements to consider: Is someone well known in the community involved? Do you have visuals to go along with the story? Does this story tie to a trend? Can you tie to the media's agenda in some way? For example, the paper called to do a story on consumption and why it was down. The time spent with him was valuable because we established a relationship and perhaps will be contacted in the future. Another story aired on the television news dealing with tap water versus bottled water. We were able to contribute to this news story.

We have talked about the media - who they are and what they want. Let's discuss what we want. We want positive press and a positive public perception. There are two elements to media relations. The first is the relationship with the media the second is a good story. We're going to talk about the relationship part. To begin with, read the publications and watch the news. Know the reporters and what kind of stories they like. Do they like environmental stories, educational stories, or technical stories? How do they like to receive information? Do they prefer a call or e-mail? What is the best time to contact them? Have a plan for who will be accessible to the media. You don't want the media calling and talking to a variety of people. Have them contacting people who are media savvy and who can build a relationship. Keep in contact with the media. Go to editorial board meetings for example. At Portland Water we go to a lot of these meetings. Invite them to tours and events, write press releases. This shows you are open and willing to work with the media. It allows us to drive the story. Some topics are well received. The media like stories about main breaks; it's an emergency, it affects people and it's visual. It can be a good story for us. The coverage can be very positive as we have seen. A few weeks ago a main break put a school and the DMV out of water for the day. The coverage, however, was pretty positive. Reporters covered the story, camped out all day, talking with the crew, highlighting their dedication.

We want to maximize the encounter. The best way to do this is to prepare. I will outline how we prepared for the WGME tap water story. I got a call from Kate Barker, who wanted to do a story about a taste test. It didn't sound very positive to me at first. I asked a lot of questions about the kind of stories she had done, and we determined it would be a good opportunity for us. I got off the phone and went on line and read her bio. I talked to others and found out about her and her style. I wrote down three main points that I thought we would want to get across - what would be our message. I tied them to questions

that I thought she would ask. Is Portland District Water as good as bottled water? Why does our water taste so great?

To answer these questions we would talk about the analysis we do so that we know that the water is safe. I also came up with three simple words that described why it is so good: freshness, treatment and the source. I put freshness first anticipating that the quote may be cut and I wanted that to be highlighted. It's what sets us apart from bottled water and makes us unique. I felt customers would resonate with this in relation, especially, to recent news stories about chemicals leaking from the plastic bottles and the controversy around that. We also provided her with information on cost in relation to bottled water. We then needed to think about visuals. We needed a spokesperson. We chose our lab director. We talked about using turbidity and color test which would be quick and easy. The reporter called and wanted to bring in a bottle of water and have us test it. We talked about this and decided this would not work. We were driving this part of the interview and decided to go with basic testing. We were pleased with the results. All three of our quotes were used.

We have recently prepared a press release concerning the rate increase. We mentioned what and why, and then connected it to the customer. What does it mean to the customer? Ninety eight cents per month doesn't sound as bad as a percentage. We then thought about the customer, what would they be thinking, what would they want to know? Perhaps, they would wonder if we could have cut some costs. We included that information in the release as well. We mentioned that we had made a specific amount of cuts, and that we were open to attendance at the hearing. We sent letters to our customers as well as a frequently asked question release prepared by customer service which was posted on our web site. As a result, all three of the television stations promoted the hearing and included our key points. So far we have had 17 customer comments, three residents and one business spoke out at the hearing; and we've had eight petitions picked up. One returned with one signature. There has not been a lot of concern about the dollar amount increase.

Remember, when dealing with print media, that the reporter does not write the headline; and at times it may seem like its two different stories. The headline and the article did not seem to go together. We have commented to the reporter about this. They may be trying to get an eye grabbing headline.

We run into a lot of media agendas and papers that are difficult to deal with. A meeting with a reporter or an editor may be needed in the case that reporting is negative or biased. How you deal with this depends on the readers and how important this issue is. The more you deal with them the more you learn how to deal with them. Highlight what you want to say and be brief, letting the pauses be when you are done. They don't know our business, and there is always the chance it won't be reported the way you need it to be. It is a skill. Remember to be open and honest.

The Maine Public Utilities Consumer Assistance Division Process

Brad King and Shawn Brooks, Senior Consumer Assistance Specialists, Maine PUC

When I was asked to speak I was told that people are dying to know what's in this "big black box" that is the Consumer Assistance Division. What happens when a complaint comes in: where does it go, does it die? Why does it take so long for it to come back out? The Commission's Consumer Assistance Division (CAD) is charged with ensuring that consumers and utilities receive fair and equitable service through Commission education and consumer complaint resolution programs. As part of this mission, the CAD is responsible for responding to

information requests, resolving consumer complaints, assessing utility compliance with consumer-related statutes and Commission rules, and screening requests from utilities seeking to disconnect gas or electric service in the winter. The CAD also provides a number of services to assist utilities in designing and operating effective consumer service programs that are fair to individual consumers, utilities, and the ratepayers in general.

At all times we seek to develop and advocate innovative and generic approaches and methods that provide better customer service. Within the CAD, we will work as a team, and encourage self-development and self-worth. We will encourage cooperation and treat everyone with respect, working in partnership with the Commission to achieve our mission.

The past perception has been that CAD was only there for customers and utilities didn't stand a chance. Once a customer called the CAD then the utility was "going down the tubes". That isn't the way it is anymore. We've had a turnaround in the CAD. Our new staff is much more neutral, focusing on the customer and the utility. We are there for both the utility and the customer. If you have a question or you want to be proactive if you know a customer is coming to us then you can contact us.

Once a customer calls us it starts the complaint process. When a customer comes to us we will commence a CAD case which is different than a docketed case. A docketed case would go before the Commission, whereas a CAD case would be resolved within our division by a specialist or senior specialist. The only time a CAD case would ever go before the Commission would be if the utility or the customer appealed the decision of the CAD.

When the customer calls, we question the customer regarding the specifics of their complaint. We access the information provided by the customer to determine the issue(s). We ask the customer to provide copies of any paperwork related to their complaint, such as bills, contracts, etc.

The majority of the complaints we receive are regarding disconnection notices (58%), followed by billing issues (26%), and service issues (15%). Over the past few years complaints regarding disconnection notices are on the rise. Service complaints are steady but are limited in number for a whole year for all the utilities in the state.

Once we have a good understanding of what their issue is we will summarize the information to the utility. We will ask specific questions to obtain the information needed from the utility, in order to conduct a complete investigation. This helps us to determine both sides of the issue. When we receive your responses they will be reviewed to make sure that the questions asked were answered. We will refer to the applicable statute, rule, Term and Condition, or prior decision when accessing the utilities response. This may result in the need to ask additional follow-up questions of the utility.

The different rules that affect decision making are Chapter 62, Service Standards for Water Utilities; Chapter 65, Water Main Extension and Service Line Rule; and Chapter 81, Resident Utility Service Standards for Credit and Collection Programs. The majority of the time we will be referencing Chapter 81.

Once we come to a decision we send a written decision letter to the customer with a copy to the utility. Ideally, this entire process from complaint to decision should take 20 business days. The decision is binding on both the utility and the customer. A CAD decision will include orders to resolve the dispute, including but not limited to: reconnection of service, deposit requirements, payment arrangements, and an adjustment of late fees accrued since the dispute was filed. CAD will determine possible rule violations and how a utility may proceed with disconnection if appropriate.

Any written decision of the CAD will inform both the customer and the utility of their right to appeal the CAD's decision to the Commission. The appeal must be filed within 5 business days after the date of the decision. The receipt of the appeal will be treated as a request for investigation. A summary investigation will be conducted, after which the Commission will determine whether a formal investigation is warranted.

Our website www.maine.gov/mpuc/ contains information related to consumer information, documents and services, and laws and rules. If a customer has an issue they will be directed to contact Brad King – Senior CAD Specialist in reference to their complaint and Chapter 62 and 65 questions. He

can be reached at 287-4974, extension 2004. If the utility has an issue they can call Shawn Brooks-Senior CAD Specialist for answers to credit and collection (Chapter 81) issues at extension 2005.

We have another Senior Specialist who handles the telephone issues. There are four specialists who answer the phone 8:30 to 4:30, five days a week. They get the brunt of customer complaints. They handle the typical complaints referring complex issues to another specialist.

In the future, there will be a credit and collection rule for water only. It's in the hands of one of the staff attorneys. We hope it will be drafted soon. Hopefully there will be a lot of benefits for the utilities in this new ruling. I can't stress enough that we are there to help both the customer and the utility in our decision making processes.

83rd Annual February Meeting and Trade Show
Business Meeting
February 10-11, 2009

The annual February Meeting and Trade Show included some changes, including an adjustment of trade show hours, and splitting the two days up so that there was opportunity for attendees to avail themselves of training and the trade show on either day. The afternoon of the second day featured an infrastructure and energy mini-conclave, which proved to be popular.

For some time now, the Directors and Program Committee have been cognizant of the fact that the demographics of the profession are changing. There will be a continued effort to meet the varied needs of the members, whether they be water system personnel, material suppliers, consultants or others.

2008 President's Remarks
Gordon Johnson

I want to thank everybody who made this year successful, from the staff to vendors and members who spent countless hours of volunteer effort to make the Association the organization it is.

There is currently much talk of using toolbox solutions when addressing issues that we face. Most of the tools available to us for these approaches don't include familiar ones like hammers and shovels. With that in mind, I am pleased to present to John the President's Toolbox. John, you may note that the selection is somewhat limited at this point, the contents consisting of three gavels. I look forward to your additions to the box. Good luck and have fun.

2009 President's Remarks
John Storer

2008 President Gordie Johnson (left) receives plaque recognizing his service from 2009 President John Storer

On behalf of the Board of Directors, I'd like to begin by thanking Gordie for his leadership this past year. He provided steady guidance and kept us on track during a rough period. Gordie and I have shared a unique connection as I worked for him in my early days at Wright-Pierce. I then followed in his footsteps to Auburn Water even being assigned his old pickup truck - which we still have by the way. I now find myself following in his footsteps as President of this Association. Gordie, if you're lucky you can shake me before you head off into retirement

I have several thank yous that are in order. First I want to thank the vendors, who make this show possible. I also want to thank Ron Miller and Portland Water District for hosting us and our co-sponsors NEWWA. Personally, I want to thank Norm Lamie, my boss and mentor, for his support and encouragement. Norm is extremely passionate about this profession and believes in volunteering and giving back. The Presidency will take a lot of time and we have an excellent team back at the water district covering for me.

This position is a huge honor. When I look at some of the recent past Presidents, Jim West who is very active in NEWWA and Judy Kelley, our first female President, and someone I greatly admire, I only hope I can measure up to the high standards that they have set. Strangely, the one thing that actually encourages me is the Presidencies of Jeff LaCasse and Brian Tarbuck, because it is apparent that occasionally we do let the inmates run the asylum.

We have a very challenging year ahead. The Board is planning an extensive strategy session and long-term planning session for early March. I'm hoping to reach out to past Board members and Presidents for their input. We'd welcome your thoughts and suggestions as to how the Association can better serve you.

This year we have made adjustments to the show schedule and will continue to do so based on suggestions we receive. Members of the Program Committee and the Board will be touching base with the vendors for their suggestions.

We are also looking to partner with Maine Wastewater and Maine Rural Water. One area that we can partner on is the WARN effort. This is the Water and Wastewater Response Network, essentially a mutual aid system. If you haven't heard of WARN or joined by the end of the year then we have failed you.

We have something I am very excited about and that is the Drinking Water Week Supplement coming out the first week of May. It will be a statewide distribution through all daily newspapers, reaching 800,000 to 900,000 readers. The Bangor Daily News will be soliciting ads in the next few weeks. It should be a great way to educate the public.

Our Executive Director Jeff McNelly and Dave Parent were unable to be here today as they are in Augusta for legislative hearings. We have a busy session ahead of us in the Legislature as there are at least 14 different water related bills on the horizon.

I encourage everyone to get involved with this Association. I learned so much from serving on the Board and volunteering on a committee. It's a great opportunity to network and learn and serve.

Recognition Awards and Scholarships
Presented at February Meeting Luncheon
****

The Sid Anthony Award
Kathy Moriarty

Each year the Sid Anthony Award is given to a member who has demonstrated outstanding service to a Maine Water utility, outstanding contribution or assistance to other water utility personnel or outstanding contribution to water works practice. Past recipients are a distinguished group of water professionals.

We are a water industry comprised of engineers, water treatment operators, and distribution system personnel charged with the task of ensuring a reliable supply of safe drinking water. We install pipe, treat water, design and maintain systems. We are all of these. However, most importantly, we are a business.

Our business office is the support hub for our operations, the center of our services, and the communication conduit to our customers. Its function is vital to the success of our mission. The water industry has been known as the silent servant. The staff in our business office have been our silent servants. Not often enough do we recognize our business professionals and applaud their efforts and their importance in the role of utility operations. Today, MWUA is recognizing two office managers who have earned the distinction of the Sid Anthony Award.

Award Recipient Kim Marchegiani
(presented by Kathy Moriarty)

I am very pleased and proud to present the first recipient of this distinguished award of merit to Kim Marchegiani, the Office Manager for the Bangor Water District. This year Kim will complete 24 years of dedicated service at the Bangor Water District. During her tenure, the complexity of the water industry has mushroomed. Kim, with her innovative ideas, has moved the District's business office forward using new technologies and progressive business practices. She has been instrumental with the selection and implementation of our new billing and metering systems. Her exceptional talents and exemplary work ethic have given rise to a highly efficient business office.

She is a woman of many hats: she is the District's Office Manager, responsible for running the business office; she is our customer service attaché, our Public Relations journalist, trustee clerk, expert on Chapter 81, and coordinator for our service and backflow prevention program.

Kim expresses her priority needs by frequently saying, "It's all about me". The fact is, it's never about Kim. Kim's focus is always about the District and doing what is in the best interest of the District. Kim's outstanding contributions extend outside the District. Kim has been a member of the Maine Water Utilities Public Awareness Committee. She was also the driving force in creating the FLUSH group or the Forum for Local Utility Support and Help. This is a group of office personnel from 25 water and sewer utilities in the Bangor region. Kim recognized the need and organized a forum for office personnel to network, learn, and discuss utility business related topics. I'd like to quote a comment from a member of FLUSH regarding Kim's contribution, "If a utility asks a question you can count on Kim to be the first one to respond with great information and with her usual comedic touch. She walks on water. The FLUSH group would not be without her. "

Kim defines professionalism in everything she does. She is a role model for the water industry. The Bangor Water District and the water profession are honored to have her talents. It is now my distinct pleasure to present, on behalf of the Maine Water Utilities Association, the Sid Anthony Award of Merit to Kim Marchegiani.

Award Recipient Madeleine Storer
(*presented by Steve Cox)*

The second recipient for this award has been in the water industry for 31 years. Her road to this industry was prefaced by completing a BA in Philosophy at Hunter College. Her family began shortly thereafter, and she used to brag that her son would someday become President.

In 1977 she joined the Camden & Rockland Water Company. She has held many titles and has been willing to perform many different roles within the company over the years including: bookkeeping, billing, assessor reporting, payroll, and customer service.

She was also elected Corporate Secretary and Corporate Clerk and has been involved in shareholder relations, community relations, education programs, and deals with corporate and personnel records.

Over the years she has provided support for the company President, Vice President, and Water Resource Director. She has performed all the tasks related to Human Resource Administration and has been relied upon to provide computer networking support as technology has advanced.

She is also involved in the community serving as past director and secretary of the Chickawaukie Lake Association. As a member of Rockland Kiwanis she received two different Distinguished Secretary awards. She has been an active member of the National Association of Water Companies as the New England Chapter Newsletter Liaison.

She is serving on the Association's Public Awareness Committee and has been a member since the committee's creation. The committee's current chair noted that she is a diligent go-getter always willing to generate the committee's materials as well as manage the Rigs & Gigs and Photo Contests. The committee never has to worry about tasks getting done and done well.

This year's co-recipient of the Sid Anthony Award has had her dreams come true as she is the mother of the current MWUA President. We are proud to present this award to Aqua Maine Inc.'s Madeleine Storer.

Editor's Note: Madeleine was unable to attend the February meeting and received her award at the April bimonthly meeting
Madeleine Storer with President John Storer

Program Committee Chair, Jefferson Longfellow with Bruce Stevens

Presentation of the Jim Doherty Excellence in Volunteerism Award

The Jim Doherty Excellence in Volunteerism Award is given to a past or present employee of an Associate Member of the Maine Water Utilities Association who has demonstrated, in the opinion of the Selection Review Committee, that he or she has provided the following:

While volunteering time, materials, labor, equipment or expertise, this person provided an outstanding service, contribution or assistance to a Maine water utility, the utility's employees or staff or to the waterworks profession, going above and beyond their normal job requirements to simply provide a helping hand.

The 2008 *Doherty Award* was presented to Bruce Stevens in recognition of his contribution as a member of the Program Committee.

Presentation of the Jeff Nixon Distinguished Service Award

Presented by Mike Pelkey

The Jeff Nixon Distinguished Service Award may be bestowed upon an eligible member of the Maine Water Utilities Association who has demonstrated, in the opinion of the Selection Review Committee, that he or she has provided two or more of the following:

A career of service to a Maine Water Utility.
A demonstrated dedication and commitment to the Maine Water Utilities Association over a period of ten years of more.
An outstanding contribution to the water works profession in Maine.

Mike Pelkey and Ron Gray

Ron Gray has had a long productive history with the Lincoln Water District. He was hired temporarily in 1963 and has served the District for the past 46 years. He was promoted to Superintendent in 1972 and under his direction the District has seen many improvements. Ron is a devoted family man and is active in his church and community. He has served as President of the Association and currently serves on the Legislative Committee. We are pleased to award Ron the Jeff Nixon Distinguished Service Award

for dedicated service and commitment to our Association and for his outstanding contributions to the water works profession.

Harry Pinkham and 2008 President, Gordie Johnson

President's Award

The 2008 President's Award was presented to Harry Pinkham, Trustee of the Boothbay Region Water District in recognition of his extraordinary commitment and years of dedicated service to both the water industry and the Maine Water Utilities Association.

Scholarships

The Maine Water Utilities Association Intern Scholarship is awarded each year to a high school graduate working as an intern at a water or wastewater facility. The recipient must be currently enrolled at an accredited secondary educational institution.

Keith Levasseur has worked as an engineering intern at both Brunswick-Topsham Water District and Wright Pierce. Jacob Spinney has completed his engineering internship at Bangor Water District. The Association congratulates these two young men and hopes they will consider careers in the water utility industry once their studies are complete.

Scholarship Recipient Keith Levasseur

Scholarship Recipient Jacob Spinney

2009 February Meeting Exhibitors

Atlantic States Cast Iron Pipe Company	McInnis Sales
Atlantic Pump and Engineering	Milone & MacBroom, Inc.
Broad Cove Associates	Monson Company
Camp, Dresser & McKee, Inc.	Natgun Corporation
Clow Valve	Neponset Controls Inc.
Comprehensive Environmental, Inc.	New England Environmental Equipment, Inc.
Cultec, Inc.	Northern Data Systems
Cummins Northeast Inc.	PAX Water Technologies
David F. Sullivan & Associates	Phoenix Contact, Inc.
Dirigo Engineering	Phoenix Municipal Software
Maine CDC Drinking Water Program	Poland Spring
E.H. Wachs Company	Preload Inc.
E.J. Prescott Co.	R.E. Chapman Company
Enterprise Trenchless Technologies, Inc. (ETTI)	RCAP Solutions, Inc.
F.R. Mahony & Associates, Inc.	Redlon & Johnson
Ferguson Waterworks	Remote Automation Solutions
Fluid Conservation Systems	Ritec Environmental
Ford Meter Box Co.	Robar Industries
G.L. Lyons Associates	Sebago Technics, Inc.
GAC Chemical Corporation	Shamrock-Glazier, Inc.
Gorham Savings Bank	Sigma Corporation
Green Power Management	Statewide Aquastore/New England Tank, Inc.
Harmon and Company	Stiles Company, Inc.
Hews Company, LLC	Stultz Electric Motor & Controls
Hydron, Inc.	TD Banknorth
IDEXX Laboratories	The Blake Group - Northeast Mechanical Corp
IPEX, Inc.	Ted Berry Company, Inc.
James W. Sewall Company	Thomas Agency, Inc., The
John Hoadley and Sons - Maine Water Works Supply Corp	Ti-Sales, Inc.
JWB Company/BAU Hopkins	Toomey Water Services, Inc.
Layne Christensen Company	Trihedral
MBIA Asset Management	Utilitronics
Maine Municipal Bond Bank	Utility Service Co., Inc.
Maine Municipal Employees Health Trust	Water Solutions / Underwater Solutions, Inc
Maine Rural Water Association	Weston & Sampson Engineers
Master Meter, Inc.	Williamson New England Electric
McCrometer	Wright-Pierce Engineers

Thank You to the 2009 February Meeting & Trade Show Sponsors

Trade Show Preview	Brunch on the Run	Afternoon Snack
	Orange Level	
The Blake Group-Northeast Mechanical Corp.	The Blake Group-Northeast Mechanical Corp.	The Blake Group-Northeast Mechanical Corp.
Leggette, Brashears & Graham, Inc.	Leggette, Brashears & Graham, Inc.	Leggette, Brashears & Graham, Inc.
Ti Sales, Inc.	Ferguson Waterworks	Preload, Inc.
Gorham Savings Bank	Gorham Savings Bank	Ferguson Waterworks
Layne Christen Company	Master Meter Inc	Gorham Savings Bank
R.E. Chapman Company		
TD Banknorth		
Ferguson Waterworks		
	Green Level	
Preload, Inc.	John Hoadley & Sons- Maine Water Works Supply	Cultec, Inc.
John Hoadley & Sons-Maine Water Works Supply		Natgun Corporation
Weston & Sampson	.	
Ferguson Waterworks		
	Blue Level	
EJ Prescott Co	Preload, Inc	
G.L. Lyons Associates	EJ Prescott Co	

Photo Contest Winners		
1st Place George Sibley Hampden Water District "3 Big Cats in a Row"	**2nd Place** Peter Farrelly Vinalhaven Water District "Folly Pond Flora"	**3rd Place** Becky Martins Maine Water Utilities Association "Center of Town Reflection Kingfield Maine"

Rigs-N-Gigs Contest Winners
1st Place Woodie Bartley, Superintendent of the Greenville Division of Aqua Maine for his meter wire needle.

CONFERENCE NO. 502 **APRIL 9, 2009** **RICHMOND**

Welcome to Richmond

Jay Robbins-Richmond Historian

For those of you who are not familiar with Richmond, we are seated beside the Kennebec River 30 miles from the mouth of the river and there are 20 miles above here to Augusta which are navigable. There is a 4 ½ to 6 foot tide. This is fresh water, not salt water. It was the river that really built Richmond, especially the village area.

As many of you may know the Pilgrims were in Augusta in 1628. There were also about 300 settlers within 50 miles prior to King Phillip's War in 1675. Everyone was driven out during King Phillip's War and it wasn't until after Queen Anne's War in 1713 that permanent settlers came back upriver.

At that time there were three competing land companies all claiming Richmond: Clark and Lake Heirs who had settled a group of 120 people in the Arrowsic area; the Prejebscot Proprietors who had settled Brunswick Topsham and the heirs of the Pilgrims, the Kennebec Proprietors. As you can see this was contested land. In 1719 Edward Hutchinson of the Prejebscot Proprietors built the garrison house near where the bridge meets the shore here. That building then became a garrison for soldiers in the French and Indian Wars and so on. It was a small settlement that grew up around the fort and became the center of trade.

In 1752 the Kennebec Proprietors built a new fort directly across the river called Fort Frankfort or Fort Shirley and brought 50 French Huguenot and German families. They started the first permanent village in the area. Two years later in 1754 Fort Halifax in Winslow and Fort Western in Augusta were built, and this was no longer frontier but an area ready for settlement.

There were more settlers on the other side of the river where there was better farmland than here. There was a family by the name of Parks who came in 1776. Their son was born aboard ship in the river, making him the first person that we know of to be born in Richmond. At that time, and still today, the town was located a mile upriver from the Pownalborough Courthouse. This served as the center of Lincoln County Government from 1761-1794. In 1794 the courthouse was moved to Wiscasset and they moved the ferry landing to where the bridge is today.

Because this immediate village area became more central to the river crossing, this area began to grow. In 1816 two schoolteachers came to town, Mr. White and Israel Washburn. Israel Washburn went on to found the Norlands in Livermore. His seven sons went on to become senators and governors.

White and Washburn had launched the first vessel from here and were transporting cord wood to Boston. With all this standing firewood in town all of a sudden White's Landing - as we were then called - took off. A lot of people came in here and shipbuilding immediately followed. We were really a shipbuilding community and that is what built the physical structures that you see in town today. Most of Richmond was built between 1835 and 1837 when there was a downturn in the economy and shipbuilding stopped for those years.

We also had some rural settlers because of the farmland. Pleasant Pond, which is our western border, connects by water all the way up to Mount Vernon and some of the best orchard lands in the state. Richmond was a place people passed through to get to these farmlands.

In 1823, and with a population of 850, we officially became the Town of Richmond. At that time there were only 13 houses in the village and 79 in the entire town. The town was comprised of 70 barns, 3 stores, 145 voters and 320 students. There was an average of 11 ½ people per house. The average family had 7 members so that leads me to believe that a lot of people lived in the barns with the animals. This is not uncommon, as it is today when people live above their garage before they build their house.

In 1823 the first steamer came up the river. The steamer *Waterville* served the towns of Bath and Augusta. A few years later in 1836 we had steamer service to Boston, and starting in the 1840's we had a large influx of Irish immigrants that came here to build the railroad. The first passenger train came in 1851, so at that point we were connected to the greater world around us. 1880 was the year of the first telephone.

By 1850 we had just over 2,000 people and by 1860 we had grown to 2,700. Then the Civil War began and the Town of Richmond sent a higher percentage of eligible men and boys to the war than any other community in the country. Well over 400 people from Richmond served in the military. One of them was Josiah Spaulding who marched 31 of his fellow townsmen from Richmond to Bath to sign up in the 19th Maine. He ended up as the colonel of the outfit, and he's the one that built this building we are in now.

Two hundred sixty 2, 3, and 4 masted vessels were built in Richmond. We were second only to Bath in that capacity in this part of the state. We also had many young boys who went off to sea and became ship's captains. When they retired at the age of forty they built a lot of the finer houses in this village area.

From the Civil War to about 1890 we had another tremendous growth in population due to the ice industry. There were fifty complexes of ice houses in this area. A single room in an ice house was bigger than a football field and some of those buildings had seven rooms attached. This ice went as far as New Zealand. We had someone visit last year with a receipt for Kennebec River ice that he was inquiring about.

We also had a very active textile and shoe industry; there were several large factories here. One of the first was where the brick factory is on the waterfront. Near here is a Queen Anne style house with a tower on it. That tower was a water tower that provided the first flush toilets in town.

In the 1950's there was an influx of Russian immigrants. At the peak we had 300 folks of Eastern European descent living here in town and 500 in the greater community. You don't notice their influence, but it was a distinct ethnic flavor in this community.

Fires have played a part in Richmond's history. In shipbuilding you have a lot of very dry wood in a very tight space. This creates concern. We have photos from the 1880's showing some of these large vessels being built. The photos show signs reading "No Boys" "No Smoking". Fire was always a great concern. In 1935 the Opera House fire took part of town. It made a big impact on the town with the loss of our biggest building at that time. In 1947, the summer that Maine burned, the fire came across missing the town but taking a lot of the houses along the river and then skipped over to Dresden and kept going. The last major fire was about fifteen years ago when our oldest church, which was built in 1829, burned.

Sanitation has always been a concern. At the first town meetings in 1823, on the agenda was an effort to keep animals from roaming at large in the village. Due to the fact that Richmond was on a hill and there were very tight living quarters, animals were a problem. This was before real issues of sanitation were discovered. In terms of water itself, a few wells in the village area became the community wells because they had the best water and over time some of these became fouled. In 1854 we had a bad cholera epidemic centered in town that led to the beginnings of the water system in 1880 when we were chartered as a water system.

The population today is 3,400 people. We have a few industrial employers in town with the school district being our largest employer. We also have a lot of commuters living in town. Because of our central location people who live here commute from here in all different directions.

Regulatory Update

Roger Crouse/ Nate Saunders
Maine Drinking Water Program

A few weeks ago we had a capacity development strategy meeting. A number of partners from various utilities and organizations came to Augusta and met with us. We were looking for input as to how we can better serve you. We will be looking for more input on these issues.

You should have received your annual sample schedule which went out in February. You are responsible for taking these samples. The Groundwater Rule has officially taken effect. It will have a limited impact on water systems in Maine. Our sanitary surveys have been built around the 8 components EPA requires in the Ground Water Rule. The only trigger may be if you have an E-coli hit in your source. If you have a Total Coliform hit you will have to sample your source to see if E-coli is present. If E-coli is present in your source, and you're not already providing 4-log virus inactivation then you will be required to do that. We don't expect the rule to impact very many people, because we are already doing extensive testing under the Coliform Rule. The only issue that might arise - if you are already chlorinating, and you discover E-coli in your source - is you may need to expand your chlorination facility. Make sure you are getting the proper contact time for that 4-log inactivation. You may look at the design of your contact tanks to see what kind of 4-log inactivation you are getting from your system. This will be helpful if you ever get an E-coli hit.

Last month I attended a National Drinking Water Administrators conference in Virginia. Lisa Jackson, who is the new EPA administrator, spoke to us briefly. According to her, the EPA is reenergized as a regulatory body. One of her comments was that "EPA is back." Things will change. Will it come down to Maine? I don't know. The tone from the EPA in Washington is going to change. There will be a new emphasis that will eventually trickle down.

The Cross Connection Rule is being updated. A group has been working on these rules changes. There have been two very productive meetings. At this point we are at the point of a proposed rule change. These changes have been submitted to reviewers within the state. When these reviews are complete there will be a public meeting. Adequate notice will be given. The focus of the changes is on the difference between containment which you are all involved with, versus fixture isolation which is covered by the Plumbing Code. Our last set of rules, which were last done in 2001, have a crossover of both worlds. We want to make sure there is no confusion. If you have any questions give us a call. We're well on the way. There is a tentative date of May 20 for this public meeting.

In relation to SRF funds, I am sure you are aware we are receiving $19.5 million as a part of the American Recovery Reinvestment Act (ARRA) funding. We still have our regular grant award. We have combined these for a total of $40 million package that we can put "on the street" this year. We are really busy managing this. It is an exciting time. A lot of work will be done this year. We are waiting for a little clearer guidance on the provision in the ARRA that deals with Buy American: US manufactured steel, iron and manufactured goods. There is still some confusion. Waivers will be coming on a regional level and things are clearing up on these issues.

History and System Overview

Mike Broadbent -Richmond Utilities District Superintendent

The Richmond Water Utility has a rich history. Weston Lewis and Josiah Maxcy of Gardiner founded the system in 1886. They were called the Richmond Water Company. Their source was the Kennebec River. They had a steam pump that pumped 600 gallons per minute of water to a 750,000 gallon open reservoir. There were 54 dwellings, 4 barns, 1 dairy farm, and 4 stores when the system was started. In 1898 they defaulted on their loan payment and the Richmond Water Company was purchased by a group of bond holders at auction for $42,000. A new corporation was born under the name of Richmond Waterworks where it stayed from 1898 to 1978.

In 1917 it became apparent that the quality of the Kennebec River was worsening and the Waterworks set up a purification system. In 1920, after several complaints about water quality, the Maine Public Utilities Commission stepped in and ordered the Waterworks to install a filtration plant. In addition they condemned the Town of Richmond for discharging sewage waste into the Kennebec River upstream of the water intake.

In 1954 the Waterworks was forced to find another source due to the continued deterioration of the Kennebec River. It was well known that there was a gravel bed over on the other side of the river in Dresden. They had harvested gravel out of it for years but they had gotten to the point where there was too much groundwater for them to operate the gravel pit. R. E. Chapman came in and drilled a 60 foot gravel packed well that pumped 600 gallons per minute. Thirty eight hundred feet of river crossing was installed and the new source was put into service.

In 1964 the Richmond Utilities District was created as a quasi municipal entity. Richmond was the second community on the Kennebec River to have a working and operating collection and waste water treatment system. In 1976, after several years of financial trouble, the Richmond Utilities District purchased the Richmond Waterworks. They conducted a capital improvement plan. Since then there have been several improvements. They replaced the open reservoir with a welded steel 500,000 gallon tank. In 1989 the primary waste water treatment plant was upgraded to a secondary plant that is still in operation today. We have installed a second water storage vessel and have extended water and sewer mains and made many upgrades across the system.

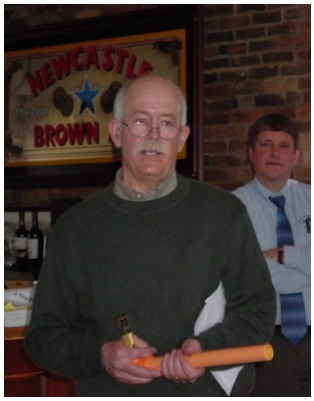
Recently the Utilities District has completed a lot of system upgrades and old main replacements. When these mains were replaced we discovered that one of the components of the insulation was horse manure. Currently we are working on a $1.3 million I & I Elimination Project that will be going on this summer. Seventy five percent of this project has been paid for through grants. We have also secured $200,000 of ARA money to develop a redundant water supply in Dresden. We have been working with the Drinking Water Program to secure a capacity development grant. We are planning ahead.

Current Issues with Fire Protection Systems
A Manager's/Operator Forum Roundtable

Facilitated by Jeff LaCasse, Brian Tarbuck, Gordie Johnson,
Eric Ellis of the State Fire Marshall's Office & Will Flint of Eastern Fire Protection

Jeffrey LaCasse

Eric Ellis



Will Flint

Almost every utility has a fire protection system, so it is an issue that affects all of us. In the current economic climate there are issues with private fire protection. We're seeing some people who want to shut their systems down because of the cost. Parts of buildings with systems are not being insulated properly so they are malfunctioning due to freeze ups. We also have times when we have to shut off systems because of disconnection of the domestic water service. There are significant regulations in place and more anticipated which result in many issues involving occupants and firefighters. This discussion will focus on commercial and residential fire protection systems, system shutdowns and disconnections, and backflow prevention issues.

Sprinklers came into general use in the 1880's. At that time the average property loss in the US per year was $250 million. The loss per capita per year was $2.47; in Europe it was 33 cents. In the 12 years prior to 1908 there were 6,040 fires in sprinkled buildings. In 94% of those fires, sprinklers extinguished the fire or held it in check. The 6% failures occurred when the system failed due to closed valves, empty supply tanks, etc.

In 2007 in the US departments responded to 1,557,500 fires. Of these, 530,500 were structure fires. Seventy eight per cent of these occurred in residential properties, one every 76 seconds. There were 3,430 civilian fatalities and $14.6 billion in property loss. Home fires caused 84% of civilian fire deaths; plus there were 14,000 civilian injuries in these fires. This resulted in $7.5 billion in property loss.

Legal requirements or standards for fire protection systems originate in four areas. They can be generated by insurance companies, by the state in a desire to protect the public (i.e. the life safety code), by building codes developed by municipalities, or by a desire by the owner to protect his property. There was a law put in place in 1990 to regulate the fire sprinkler industry. This is a unique law in that fire sprinkler contractors got together and hired the lawyers to write the law. They did this because they were losing bids to people who were putting in substandard systems, and they wanted to be held to a professional standard.

The standard that is typically used with commercial systems is NFPA 13 which is 1,000 pages long. The State Fire Marshall's Office has also adopted a standard, NFPA 101, which says if you have a structure of 12,000 square feet you need a sprinkler system. This standard is for property protection. There are also other standards written by the NFPA which apply to different types of dwellings. You have no right to require a sprinkler system unless you have legally adopted a code or standard that applies to that situation.

The state has had a lot of pressure from the banking, insurance, and construction industries to have the same set of rules apply across the state. They prevailed in 2008 to get a bill passed - LD 699.

This bill says that as of January 1, 2010 there will be a statewide building code. It will supersede all local building codes and no municipality can have a building code that differs or is watered down. If the town is less than 2,000 people they do not have to enforce it.

If you have a fire sprinkler system and smoke alarms in your building your chance of survival in a fire in your home is 95%. In 1986 Scottsdale, Arizona passed an ordinance requiring that every new building built had to have a sprinkler system. A fifteen year study has shown that of the 13 fire deaths during that time period, none occurred in sprinkled homes. The average property damage in these homes was $2,300 versus $45,000 in non-sprinkled homes. This shows the value of a sprinkler system.

Other components of a commercial wet system are access to hydrants, alarm checks, Siamese fire department connections, and antifreeze. Generally, two types of antifreeze are used. One is polypropylene glycol and the other is glycerin. Glycerin is used more in residential systems because it is compatible with the pipe used. Polypropylene is not compatible with PVC piping, and that is why it is not typically used residentially.

In discussing residential fire protection systems it becomes evident that as water utilities we need to get out, set standards, work with the Fire Marshall's office, work with the local community, and figure out what we want and how to get there. We are not there yet but there are a lot of passionate people in this industry capable of accomplishing this. The Scottsdale study is good data and becomes the rallying cry. If you are a utility and you want to support residential sprinkling, how do you thread the line? As an industry we don't have a good reputation with the sprinkler industry because of cost. What we want is generally high. Can we support this without such a high cost? What regulations will help us and guide us? In the NFPA 13D standard the preferred arrangement is a single service with an unmetered fire connection; they also recommend two alternate arrangements, one being two services with unmetered fire connection. Another alternate arrangement is a single service with a metered fire connection. There are a variety of issues concerning these arrangements. Cost is definitely a consideration.

The amount of water required for a fire sprinkler system is determined by hydraulic calculations. The guidelines for how to do those calculations can be found in the standards. If we are talking about a home we would use the 13D standard. We know that over 90% of the time only one sprinkler head will go off in a fire. It will either put the fire out or contain it. The standard says that you need enough water to contain the fire for ten minutes - that's it. If you are hooked into a municipal supply you have an indefinite supply. If you can't get the pressure and flow required then you will have to have a storage tank and a pump. What may trigger that is whether or not the line coming into the house is large enough and also the size of the water meter.

The state has adopted the standard NFPA 25 for inspection, testing and maintenance of fire protection systems. It says that it's the owner's responsibility to inspect, test and maintain the system. If the owner does not pay their water bill and you shut them off the owner is liable. The same applies to their power bill. The water district does need to notify the fire department if there has been a shut-off. The district is not liable, but you need a procedure in place where you give a verbal warning, then a written warning, and then a final warning. This documents your relationship to this issue. There needs to be a policy in place regarding the handling of these situations.

For fire protection systems the cost is about $3,500 to $8,500 for a two-story home and basement. You can assume that it will be 1.5% of the total cost of the home. In turn, this reduces home fire insurance by 5% to 12%.

The question then arises as to whether or not you should install your own system. You may not if it is a rental or commercial space of any kind. If you hire out the installation it has to be installed by a state licensed sprinkler contractor. Please consult the Fire Marshal's Office in any case and remember that it needs to be NFPA 13D compliant if you install 7 or more sprinkler heads.

No state required reports or filings are necessary on residential systems unless you do use antifreeze in which case there is a requirement to test that additive. You will then need an annual hydrostatic test. Obviously you should check your system in accordance with the appropriate NFPA guideline to ensure it will work when needed.

On the Fire Marshal's website you will find detailed descriptions of shut-down policies. Three policies are mentioned: temporary or seasonal shut-down, permanent, and a shut-down for an undetermined time period. We do allow shut downs under certain circumstances. For example a seasonal business may drain their fire protection system for the winter but the building must remain unoccupied and locked up with no construction during the shut-down. This policy specifies that one needs to get something in writing from the Fire Department and the insurance carrier, and possibly the alarm company that they are aware that there will be a shut-down for a certain time period, and the reason for the shut down. The Fire Department may want something extra. Perhaps they want a sign on the building but this may encourage arson. If a building is headed toward demolition it would require a permanent shut down. Policy details are on the web site. Everyone should be aware of their responsibilities. Communication should be clear and documented. Disconnection for nonpayment should follow clear steps and water districts should have clear policies and procedures for this. Communication also reduces concerns about liability. Combination systems are also tricky. Some systems no longer allow them.

The Backflow Prevention Program is going to be realigned by the Maine State Internal Plumbing Code. This will standardize a lot of the issues. Utilities are required to look at containment for backflow prevention but the Plumbing code also has regulations on fire systems and prevention devices required. There are water quality issues that have to be addressed.

Additional information can be found at the Maine Fire Marshal's Office website: www.maine.gov/dps/fmo

David Parent Receives NEWWA Leadership Award

Dave Parent, Assistant Superintendent of the Sanford Water District and Chair of the MWUA Legislative and Regulatory Affairs Committee received the 2008 NEWWA State Leadership Award. NEWWA President, Pat Connelly presented the award at the April meeting.

****

In Memory

James Eloin Guyton

James Eloin Guyton, 79, died Sept. 21, 2008, at his home. He was born Aug. 28, 1929, in Harrod, Ohio. Jim served in the U.S. Navy actively for twenty-three years, with an additional ten years in the Navy Reserves, retiring in 1977. He worked as a loan officer at a local bank, was a lobster fisherman for several years, served as selectman for the town of Gouldsboro, and was owner/ operator of J&B Trap Company. Most recently Jim was employed at Long Pond Water District as district manager for almost ten years.

He is survived by his beloved wife of thirty-five years, Bernice E. Guyton.

John R. Dartnall

John R. Dartnall, 68, died Sept. 27, 2008, at Miles Memorial Hospital in Damarsicotta, after an extended illness.

Born in Woodsford, England, on Feb. 14, 1940, he was the son of Robert E. and Irene V. Arnold Dartnall.

For the past forty years, John has resided in the United States. For more than twenty years, he worked at the Camden/Rockland Water Company. He later established his own consulting company for backflow systems.

John is survived by his wife, Carol, of Thomaston.

Eddie J. Lapointe

Eddie J. Lapointe, 85, formerly of Sanford, died Tuesday, January 27, 2009, at Penobscot Bay Medical Center in Rockport, after a brief illness. He was born in Sanford on March 9, 1923, and was educated in Sanford schools. He was a World War II, U S Army veteran.

Eddie married Lillian C. Senechal on July 13, 1946, in Sanford, where the couple made their home until moving to South Thomaston in 2002. He worked as a Foreman with the Sanford Water District for more than 20 years.

He was a longtime member of the Veterans of Foreign Wars, Thomas W. Cole American Legion Post No. 19, and a 4th degree life member of the Knights of Columbus.

Eddie enjoyed playing cribbage, golfing, and fishing; spending time with his family was of utmost importance to him.

He is survived by Lillian, his wife of 62 years, three daughters and their husbands, grandchildren, great-grandchildren and nieces and nephews.

Michael R. Nadeau

Michael R. Nadeau, 50, died on July 1 at Wentworth-Douglass Hospital in Dover. He was born on Dec. 13, 1958 in Dover, the son of Reginald J. and Patricia A. (Nutter) Nadeau. He had been the Superintendent of the South Berwick Water District since 1988. He was a member of the Maine Water Utilities Association Board of Directors from 2002 to 2007 and served as President in 2004. Mike was an active participant of the Southern Maine Regional Water Council, and served as its first President in 2006.

Mike was also a member of the American Water Works Association, the New England Water Works Association, the Maine Rural Water Association and the Maine Backflow Prevention Association.

He was a South Berwick Water District Trustee from 1987-1988 and was also a past member of the South Berwick Rotary. Mike received the New England Water Works State Leadership award in February of 2008 and the Maine Water Utilities President's Award that same year.

Mike is survived by his wife of 27 years, Claire, his son, Travis Nadeau and his wife, Kari, his granddaughter, his parents, two brothers and their wives, his sister and her husband and several nieces and nephews.

He was always striving to advance the professionalism of the water supply business and, as a result, the South Berwick Water District was actively involved in research projects with the American Water Works Association Research Foundation.

Richard W. Gustafson

Richard Warren Gustafson, 56, of Hermon, died July 6, 2009, at Bangor hospital. He was born Sept. 20, 1952, in Bangor, son of Warren Alfred and Eleanor May (Woodbury) Gustafson. Richard was a graduate of Bangor High School, Class of 1971, and was employed for 23 years by Bangor Water District, where he worked with many close friends. He was an avid sports fan who enjoyed the Boston Red Sox, the New England Patriots and the Boston Celtics.

He is survived by his wife of 34 years, Jacqueline (Voye) Gustafson, his daughter, Kristen M. Kelleher, three grandchildren, his twin brother, his sisters and their husbands, aunts, uncles and many nieces and nephews.

****

MAINE WATER UTILITIES ASSOCIATION, 2009

Past Presidents

1926-50	DAVID E. MOULTON*
1951	SIDNEY S. ANTHONY*
1952	ROMIE K. NEWCOMB*
1953	ALLAN F. McALARY*
1954	LEANDER G. SMITH*
1955	FRANCIS L. HATCH*
1956	EARL A. TARR*
1957	WM. G. HARTWELL*
1958	HERMAN BURGI, JR.*
1959	DONALD P. JOHNSTON*
1960	J. ELLIOT HALE*
1961	LYNDALL K. PARKER*
1962	MAURICE H. BURR*
1963	JAMES W. BATES
1964	J. PORTER HENNINGS*
1965	CECIL W. MANN
1966	E. S. LITTLEFIELD*
1967	PAUL G. BUTLER*
1968	M. A. PACKARD, JR.
1969	W.D. MONIE*
1970	ROBERT VARNEY*
1971	JOSEPH TAYLOR
1972	SHERMAN SMITH*
1973	HARRY WOOSTER
1974	GERARD F. LAUREN*
1975	PELEG BRADFORD*
1976	LYBRAND GOLDSMITH
1977	STANLEY MELIN*
1978	ALTON JOHNSON*
1979	EARLE A. TARR, JR.*
1980	JOHN E. LOMBARD
1981	FRED E. GIVEN
1982	DAVID A. SWEET
1983	R. PATRICK GRADY
1984	HECTOR LeCOURS*
1985	RONALD R. GRAY
1986	A.B. PALMER, JR.*
1987	PETER L. CALDWELL
1988	EDWARD B. BURGESS
1989	DENNIS T. KNOWLES
1990	JEFFREY L. McNELLY
1991	JEFFREY P. NIXON*
1992	GEORGE PETERS
1993	NORMAND R. LABBE
1994	NORMAND R. LAMIE
1995	DONALD L. WARE
1995	DAVID MICHNIEWICZ
1996	WAYNE ROGALSKI
1997	NORMAN J. CYR
1998	STEPHEN L. FREEMAN
1999	JAMES W. WEST
2000	RICHARD L. KNOWLTON
2001	SCOTT MINOR
2002	DAVID PARENT
2003	JEFFREY LACASSE
2004	MICHAEL NADEAU*
2005	JUDY KELLEY
2006	BRIAN TARBUCK
2007	WILLIAM G. ALEXANDER, JR.
2008	GORDON JOHNSON

Deceased*

MAINE WATER UTILITIES ASSOCIATION, 2009

Board of Directors Meeting
May 8, 2008
Bangor, Maine

The May meeting of the Board of Directors of the Maine Water Utilities Association was held on Thursday, May 8, 2008 at the Bangor Water District. President Johnson called the meeting to order. Directors present were LaCasse, Wells, Moriarty, Storer, Alexander and Cox. Also present were Executive Director McNelly and Martins.

Communication

McNelly distributed a thank you note from the Senator George Mitchell Center for sponsoring the 2008 Maine Water Conference. Also distributed was the Sanford News article *"Alfred's Dugovic honored by Maine Water Utilities."*

McNelly informed the Board of Directors that the Rangeley Water District will be monitoring its ground water supply flow levels with specific attention being paid to the potential impacts to the system with Saddleback Ski's proposal to draw 250 million gallons a year. A June 13th site visit is planned.

Johnson shared that MWH Soft is holding a Modeling class at James W. Sewall's office on May 28, 2008.

Financial Review:

The March financial report and the April financial summary were provided. Midyear projections were reviewed with the prediction of being in the black by $10,000 to $20,000 by year end.

Minutes

On a motion by LaCasse and a second by Storer, the amended minutes of April 4, 2008 were unanimously approved.

Directors Report

Johnson provided Board of Directors with a copy of the Institute in Drinking Water Treatment's August 2008 conference brochure.

Cox informed the Board of Directors that Camden-Rockport division of Aqua Maine, Inc. is currently going through a small restructuring.

"True culprits of high cholesterol" written by Deb Bromley was provided to the Board of Directors.

Directors discussed financial incentives that utilities offer to employees for passing the water operator license tests.

LaCasse noted the recent Op-Ed authored by Jim West promoting drinking water week.

Alexander informed the Board of Directors that the Brunswick & Topsham Water District submitted a Wellhead Protection application.

Board of Directors acknowledged the WARN Network alert in response to the flooding in Fort Kent.

Johnson informed the Board of Directors that the Portland Water District has been recently added to the SRF List for construction funding.

Old Business

Johnson provided an update on the Utility Theft of Services legislation. Maine Public Law – Chapter 353 includes the following provisions applicable to water services: a.) Civil liability for utility services wrongfully obtained, b.) civil liability for damages to utility property and c.) Civil liability for utility property wrongfully obtained.

On a motion by Storer, and a second by LaCasse, there was unanimous consent to support the recommendation of Craig Douglas for State Director of the New England Water Works Association.

Gordie Johnson and Jeff McNelly provided an update on the AWWA Fly-In which was held in Washington, D.C. on April 16th and 17th. They met with Senator Snowe and Senator Collins and staff members from the offices of Congressmen Michaud and Allen. Both recognized the value of meeting with other AWWA Fly-In participants.

After reviewing the initiative for a MWUA Young Professional Committee, Directors discussed an alternative to the original proposal: a New Professional Series of operator based forums targeting new professionals in the industry. Lamie, Moriarty and LaCasse will serve on an AdHoc committee to develop the new series.

Johnson provided a copy of the Public Water System Design Capacity Documentation Preliminary Questionnaire distributed to all surface water systems in Maine. McNelly will facilitate training sessions on Maine DEP Chapter 587: In-stream Flows and Lake and Pond Water Levels on May 29th at the Portland Water District, June 10th at Presque Isle City Hall, June 18th at Dexter Utilities District's Water Treatment Plant and on June 23rd at the Ellsworth City Hall.

McNelly provided a written summary of the April 4th joint meeting of the Program Committee and Board of Directors; held to discuss the February Meeting and Trade Show trends. McNelly requested written comments from the Directors by the close of the business day on May 12, 2008. McNelly will schedule a meeting with Jefferson Longfellow; Chair of the Program Committee to review the meeting summary and Board of Directors' comments. There was consensus that the Board of Directors will stay involved with the discussion of improving the February Meeting and Trade Show. Storer will seek TCH approval from the Water Operators Licensing Board for attendance at the show.

New Business

The Board of Directors acknowledged that Governor Baldacci had accepted the resignation of Kurt Adams as the Chairman of the Maine Public Utilities Commission. Sharon Reishus is the new Chairman.

McNelly continues to advocate for a mock bill signing ceremony for LD 2169 *"An Act to Amend the Laws Pertaining to Storm Water Management and to Authorize a General Fund Bond Issue for Drinking Water Management."*

Committee Reports

Water Resources – written report submitted by Hunt

The Position Paper on Siting Criteria for State-funded Boat Launches was sent to the Maine Department of Conservation for their consideration.

The Committee is planning a 2008 Source Protection Seminar. Dina Page is subcommittee chair. The seminar will take place on September 30 in Augusta. More details after the May committee meeting.

Project Wet: A Wellhead Protection grant application was submitted – proposing a pilot Project WET educational effort centered on Brunswick-Topsham area. Have not received official word yet.

Possible Plumbing Code changes: The Maine Association of Site Evaluators has a task force that is preparing position papers for consideration by DHHS for the next round of rulemaking. Several draft position papers have the potential to lead to increased development in the shore land zone, which could impact water supply lakes. Jeff has requested a meeting with Nancy Beardsley and Russ Martin to discuss the process.

Legislative & Regulatory Affairs Report

The 123rd Second Session of the Maine Legislature adjourned on April 18, 2008.

McNelly encouraged the membership to advocate in support of LD 2169 and support its funding from the November 2008 Bond.

Storer provided feedback on the recent discussion among utilities in regard to the Freedom of Information Act and citizens' rights (or lack thereof) to utility records.

Education and Operations Committee – written report submitted by Wells

Positive feedback on Meter and Service Sizing Operator Forum.

NEWWA Sessions "Water Main Disinfection" and "Creating a Flushing Program to Meet SDWA Requirements" to be held at three locations Presque Isle, Belfast, and Portland. May 20th, 21st, and 22nd. One in the morning and the second class is to be in the afternoon immediately after lunch.

The Office Session we are still discussing topics, however locations have been set for: June 17th at the Holiday Inn in Ellsworth, June 19th at Pineland Farms in New Gloucester and June 25th at the Northeastland in Presque Isle.

Looking in to Basic Computer Skills classes 4 morning sessions.

Looking for ideas, any and all.

Public Awareness Committee – written report submitted by Dillingham

We are currently working on the Book Mark. We have a draft. We are to review it for our next meeting and then we will make revisions and send the Board what we have developed.

We are happy with the contest forms for Rigs & Gigs and the Photo Contest. Someone will be updating the website forms with the new ones. We suggested having forms at MWUA meetings.

We have reviewed the MWUA website and are compiling our comments. We are getting proposals to updated and expand the website.

We will be dedicating most of our next meeting to drafting the guidelines for the scholarship fund. We will meet with the Board once we have a good draft.

We have committed to the Children's Water Festival in October in Orono. We are going to go with the testing for Coliform bacteria idea using IDEXX products.

Drinking Water Week is underway. We are discussing newspaper inserts for next year.

Adjournment

On a motion by Wells and a second by Storer, the meeting was adjourned by unanimous consent.

MAINE WATER UTILITIES ASSOCIATION, 2009

Board of Directors Meeting
June 5, 2008
Brunswick-Topsham Water District

The June meeting of the Board of Directors of the Maine Water Utilities Association was held on Thursday, June 5, 2008 at the Brunswick-Topsham Water District. President Johnson called the meeting to order. Directors present were LaCasse, Wells, Moriarty, Storer, Alexander and Cox. Also present were Executive Director McNelly, Martins, Craig Douglas, Kirsten Ness and Mary Jane Dillingham.

Financial Review:

The April financial report was reviewed.

Minutes

On a motion by Storer and a second by LaCasse, the amended minutes of May 8, 2008 were unanimously approved.

Executive Directors Report

McNelly shared that the Small Woodlot Owners Association is facilitating a woodlot tour on August 11, 2008 for stakeholders. Board of Directors who have an interest in attending should contact McNelly.

McNelly informed the Board of Directors that the date of the New Hampshire Water Works Association's Annual Trade Show and Exposition is Wednesday, October 29, 2008. The show will be at the Radisson in Manchester, NH.

McNelly shared that the Maine Wild Blueberry Association had contacted him and informed him of the push to identify additional river basins for the protection of Atlantic Salmon.

Directors Report

Johnson will provide Board of Directors with the internet link to *"Investing in a Sustainable Future"* publication which highlights the 10th anniversary of the EPA SRF program.

LaCasse provided details on the main break at the Kennebec Water District. Also noted were three recent breaks in Ellsworth on a WWII vintage water main.

LaCasse informed the Board of Directors of the recent *"Drugs in the Drink"* article in the Moring Sentinel. Also noted was the Consumer Report article, *"What's Wrong with Tap Water?"* and the *"Why is Bottled Water Bad for You?"* article.

Old Business

The Board of Directors provided comments on Storer's *"Request for Training Contact Hour at the Maine Water Utilities Annual Trade Show*". Storer will incorporate the comments and provide a revised draft to the Program Committee and Board of Directors.

The Ad Hoc Committee which was established to develop criteria for a New (or Young) Professional Committee was scheduled to meet directly following the Board of Directors meeting.

McNelly shared that the association has received no further communication from the Department of Conservation in regard to the Boat Launch Siting Position Paper. The DOC has not indicated that they would like to schedule a meeting with MWUA to discuss the position paper.

There is expressed concern with the DEP EGAD Mapping proposal for a Google Earth site in regard to water system security. McNelly will draft comments which emphasize the need to protect public water systems infrastructure and expressing the association's concern with identifying vulnerable infrastructure.

New Business

Craig Douglas and Bruce Berger are scheduled to attend the New England Water Works Planning Session. Douglas is seeking comments from the Board of Directors on strategies of strengthening the collaboration between NEWWA and MWUA.

Wells updated the Board of Directors on the May 22, 2008 draft revisions of the Policy for Renewal Training Courses for Water System Operator Recertification. The Board of Directors supported meeting with other training educators to discuss the draft revision.

In regard to O & M cost increases, escalating costs of chemicals, health insurance, energy and pipe were noted. Johnson noted the impact of utility O & M expenditures in the Portland Water District's 2009 budget.

Committee Reports

Water Resources – a written report was submitted by Hunt

Project WET pilot project has been funded via a $5,000 wellhead grant

Lynne Richard of PWD, also the Maine Project WET Coordinator, will be working in the Brunswick-Topsham area to bring the project with a PWS overtone. The goal will be to train a group of middle-level science teachers from the

area (Brunswick, Topsham, Harpswell, Bowdoin, Bowdoinham, Bath) in Project WET methods and materials, to provide them with materials and water testing equipment, and to introduce them to water utility staff from the local PWS and make them aware of the opportunity to incorporate water treatment plant tours as part of the curriculum.

Siting criteria for DOC-financed boat launches not well-received
George Powell of DOC heads up the DOC committee working on an update to the lake access strategic plan. He requested science-based siting criteria from MWUA. The MWUA Board adopted the WR Committee's position paper and forwarded that to the DOC Committee. In an e-mail from Mr. Powell to agency members of the committee, he concluded that, in his opinion, the position paper included "little of value" and he is "very disappointed." The tone of the e-mail seemed hostile to some which is hard to understand. Possible responses to this e-mail were discussed. McNelly will send a letter asking to meet with the management team. It may be that a meeting with the Commissioner and administration to discuss this should happen as well. At this point, no response from the WR Committee is requested.

Planning Ongoing for Annual Maine Source Water Protection Seminar
Date of Seminar: September 30
Location: St. Paul Center, Augusta (same as in 2007)
Proposed Title(s): **Drinking Water Source Protection:** *Essential information for decision makers* -or- **Drinking Water Source Protection:** *How to live with new and existing development.*

Possible Talks (Presenters)
a. Low Impact Development
b. Existing Groundwater Problems or "Cost of No Wellhead Protection
c. 319 Watershed Projects
d. Farm-A-Syst: A New DWP Initiative
e. Working with DEP and local agencies to manage NRPA applications and shore land zone permit applications

Case Studies: Sanford Wellhead experience, Eagle Lake wellhead experience, Castine wellhead experience
Bath 319 experience and St Joseph's College LID development
Legislative & Regulatory Affairs Report

McNelly emphasized the need for strategy and outreach to support approval of LD 2169 *"An Act to Amend the Laws Pertaining to Storm Water Management and to Authorize a General Fund Bond Issue for Drinking Water Management"* in the November 2008 Bond. A ceremonial bill signing has been rescheduled for June 17, 2008 from 9:00 AM – 9:30 AM.

Education and Operations Committee – written report submitted by Wells

Upcoming meetings were set for: July 25, 2008 @ 9:30 AM in Augusta.

With the June office session the committee is on target to complete the 2007-2008 work plan. We have a great start on the 2008-2009 work plan; although there are a few classes to be selected in the 2009 portion of the schedule, we anticipate easily being able to select and generate classes. The committee would like to target a few more members. It is imperative that we maintain a solid base of members and we are seeking another committee member from southern Maine and another from south central Maine.

The "Guide for Moderating" authored by the Education and Operations Committee was distributed to the Board of Directors.

Co-Chair Douglas shared that the June office session, which focuses on financial best practices for office staff, continues to be challenging for the committee to pull together. The current committee structure is comprised of operations expertise, not financial expertise. There was discussion of inviting the Utilities Finance Officers group to make a presentation at a MWUA training as they do have the expertise.

McNelly provided an update on May 29th training session on Maine DEP Chapter 587: In-stream Flows and Lake and Pond Water Levels. Additional sessions are scheduled for June 10th in Presque Isle, June 18th in Dexter and June 23rd in Ellsworth.

Public Awareness Committee – written report submitted by Dillingham

Children's Water Festival – It was agreed that we would prepare an exhibit for the October festival using drinking water testing as the theme. Julia, Kirsten, Dina Page, Brian Tarbuck and MJ agreed to go. MJ will contact IDEXX for supplies.

MWUA Website – After much discussion it was agreed that: 1) Committee Chairs need to update the Committee lists of members and provide the minutes to Becky to be posted on the site. 2) The calendar would

include Committee meetings. 3) A webpage sign up form would be created for bimonthly meetings. People will be able to print it and fax or mail it to Becky. 3) A fillable form would be created for the February Trade Show.

The website is used mostly by members and it needs to be member friendly. It also needs to be something that can be easily kept current. The website is scheduled to be updated by September 1, 2008.

MWUA Scholarship – Madeline provided the committee with a draft scholarship application. The committee worked the draft to a final draft. Madeline will make the changes and the final draft will be presented to the Board for approval.

MWUA Contests – Becky handed out the final drafts of the contest flyers. The committee accepted the drafts.

Newspaper supplement for DWW insert – Madeline provided information about the Drinking Water Week newspaper supplement. For statewide distribution of a supplement of 12-16 pages, would cost $6700. The newspapers are Bangor Daily News, Portland Press Herald, Lewiston Sun Journal, Kennebec Journal, Brunswick Times Record, Biddeford Journal Tribune. We can write the articles or have the journalists do it. (We would write the articles). They would solicit the advertisements from MWUA vendor list. We need to make a decision ASAP in order to have it for 2010 on the first weekend in May. The BDN people will come to a PAC meeting to discuss this in more detail sometime before the end of this year. Once we get the mechanism in place, we would just need to provide a new copy each year. This information will be presented to the Board at their next meeting. This information will be presented to the Board at their next meeting.

Rack Card – We have plenty left. When and if we reorder, we will eliminate the e-mail address and only have the website address on it. The e-mail address on the cards is incorrect.

Book Mark – The committee had ideas for major changes to the current draft. Madeline will incorporate the ideas and get us a second draft for review.

Next Meeting – July 2nd at 11:00 at Jeff McNelly's camp in Jefferson

Mary Jane Dillingham and Kirsten Ness were present at the Board of Directors meeting and distributed a draft proposal of Maine Water Utilities Association Intern Scholarship. The committee will provide a final scholarship proposal to the Board of Directors by the third week in June. The Board of Directors expressed its support for the Intern Scholarship and is supportive of including $1000 to support the scholarship in the MWUA 2009 fiscal budget. John Storer has volunteered to begin the scholarship fundraising effort at the 23rd Annual MWUA Clambake Golf Scramble.

Dillingham and Ness requested the Board of Directors' support for the proposed newspaper supplement for Drinking Water Week in 2010. The committee will provide additional details for the Board of Directors.

Program Committee

McNelly shared that the Program Committee is finalizing the details for the August clambake and golf tournament.

The June 12th bimonthly meeting in Mars Hill is on target.

Cox informed the Board of Directors that the committee continues to discuss changing the format of the February Meeting and Trade Show.

Adjournment

On a motion by Wells and a second by Storer, the meeting was adjourned by unanimous consent.

Board of Directors Meeting
July 8, 2008
Brunswick-Topsham Water District

A meeting of the Board of Directors of the Maine Water Utilities Association was held on Thursday, July 3, 2008 at the Greater Augusta Utility District. This special meeting was called by the President in accordance with Section 5.3. of the bylaws. Directors present were Johnson, LaCasse, Wells, Moriarty, Storer and Cox

On a motion of Storer and a second by Moriarty the Board voted unanimously to approve $1,000 for the Intern Scholarship for the 2009 fiscal year. It was noted that the $1,000 was to be considered to be start-up money for the fund. The Board then entered into discussion relative to the proposal of Kennebunk, Kennebunkport and Wells Water District to sell spring water to Poland Spring. Johnson had previously provided Board members with a number of documents, including newspaper articles, KKW fact sheets, correspondence directed to KKW from a coalition consisting of Trout Unlimited, the Atlantic Salmon Federation and Maine Rivers and other materials.

It was noted that the proposal, which had created considerable controversy, had political and other implications. For the association, and its members as whole, the most salient issues include the recently adopted

Chapter 587: In-stream Flows and Lake and Pond Water Levels regulation, policy relative to whether groundwater in Maine should be a public resource under a public trust doctrine and the general public relations impact.

Concerning what sort of response or position, if any, the association should formulate there was general agreement on the following points:

- Sustainability of this renewable resource is of paramount importance.
- In the hierarchy of priorities, use of Maine's freshwater resources for public water supply purposes should be preeminent.
- Chapter 587 has the flexibility to accommodate public water system needs plus the safeguards necessary to protect and maintain aquatic biota.

It was noted that a meeting of Maine's Water Resources Planning Committee was being scheduled, with the Kennebunk-Kennebunkport-Wells Water District's proposed agreement with Nestle being one of the agenda items.

The Directors asked McNelly to meet with Department of Environmental Protection representatives in order to inform them that the association was following the proposal and to ascertain if there were specific issues that agency personnel wanted to discuss.

On a motion of LaCasse and a second by Wells, the meeting was adjourned.

Board of Directors Meeting
August 8, 2008
Aqua Maine, Rockport

The August meeting of the Board of Directors of the Maine Water Utilities Association was held on Thursday, August 7, 2008 at Aqua Maine, Inc. in Rockport, Maine. President Johnson called the meeting to order. Directors present were LaCasse, Moriarty, Storer, Alexander and Cox. Also present were Executive Director McNelly, Becky Martins, Mary Jane Dillingham, Brian Tarbuck, Dave Parent, Jefferson Longfellow and Norm Labbe.

Old Business

On a motion by Moriarty and a second by Storer, the Board of Directors voted unanimously to support the 2009 Drinking Water Week supplement. Present for the vote were: Johnson, Cox, Moriarty, Alexander and Storer.

McNelly provided an update on the annual August golf tournament and clambake planning details.

McNelly informed the Board of Directors that the Water Resources Planning Committee is finalizing details for the "Drinking Water Source Protection: How to Live with New and Existing Development" seminar scheduled for September 30, 2008.

McNelly provided an update on the meeting between MWUA representatives, the Department of Conservation and Inland, Fisheries and Wildlife officials to discuss MWUA's Boat Launch Siting Position Paper. The DOC and IFW will be releasing a revised strategic plan; which may incorporate some of the association's recommendations.

Storer provided an update on Chapter 140 and the DEP EGAD Mapping proposal for a Google Earth site. The association will follow this development.

Norm Labbe was present to share Kennebunk, Kennebunkport & Wells Water District's recent experience and perspectives in regard to surface and groundwater withdrawal. MWUA will request a meeting with environmental advocacy groups to expand their knowledge on groundwater supply.

Jefferson Longfellow provided an update on the preliminary 2009 February Meeting and Trade Show plans. Longfellow will distribute the Program Committee minutes from August 5, 2008 and request comments and recommendations for suggested training topics from the Board of Directors. A joint Board of Directors and Program Committee meeting will be scheduled in conjunction with the September 4th Board of Directors Meeting.

New Business

Included with the Board of Directors packet is a narrative for the proposed 2009 budget. Noted is that the Board of Directors approval of the budget is required prior to the October bimonthly meeting.

Jim West, Gordie Johnson, David Parent and Jeff McNelly met with representatives of AGC on August 6th to discuss Dig Safe legislation and marking lines from sewer mains to homes. As a follow up to the meeting, President Johnson will draft a letter to Mark Curtis; a member of the AGC Maine Sitework Committee.

Johnson provided a reminder that the Drinking Water State Revolving Fund Project Forms are due by September 12, 2008.

Financial Review:

The June financial report was distributed with the Board packet.

Minutes

On a motion by Storer and a second by LaCasse, the amended minutes of June 5, 2008 and July 3, 2008 were unanimously approved.

Executive Directors Report

McNelly shared that he received correspondence from Paul Jacques of IF&W thanking the association for the invitation to attend the clambake; but that they would be unable to attend.

Directors Report

Johnson informed the Board of Directors that Craig Douglas attended the New England Water Works Planning Session.

The Board of Directors discussed the Drinking Water Program's boil order policy. There appears to be some discrepancy between the DWP's adopted policy and what some staff members may be following. McNelly will follow up with the Program.

Committee Reports

Legislative & Regulatory Affairs Report - Parent

Parent emphasized the need for strategy and outreach for voter approval of the November 2008 bond which provides the SRF match for both the water and wastewater programs. The Board of Directors supported hiring a consultant to draft letters supporting the referendum which water utilities could disseminate to their local papers. The Legislative & Regulatory Affairs committee will provide additional detail to the Board of Directors.

Parent noted that it's time again to advocate for a more dependable funding mechanism for the State Revolving Fund Match.

The Senate will vote on Jack Cashman's appointment as Commissioner of the Public Utilities Commission on August 20, 2008.

Program Committee - Longfellow

Longfellow provided details on the preliminary planning for the 2009 February Meeting and Trade Show. The Program Committee seeks the assistance of the Board of Directors in identifying topics and in planning the event.

The October and December bimonthly meeting details are being finalized.

The committee is currently seeking additional members.

Education and Operations Committee – written report submitted by Douglas

Upcoming meetings were set for: Sept 9, 2008; Portland Water District; Nixon Center; 9:30 and Nov 18, 2008; BTWD; Conference Room; 9:30.

The committee completed the 2007-08 workplan and is working on agendas and dates for the classes in the 2008-09 work plan.

Committee attendance has been high and the group has been engaged in great discussions. The committee will be hosting Gene Ellis, Director Apprenticeship Standards, from the Bureau of Employment Services at the next meeting. He will discuss ways of tapping state funds to help develop our workforce. One idea would be for interested committee members to develop a general apprenticeship template that utilities could use to tap this funding to help create a more skilled workforce. The goal of this meeting is to better understand the program and to see if we could tailor something to tap these funds.

The committee is still struggling to identify someone to be the coordinator for the office session. There were no volunteers at the last meeting. I offered at the last committee meeting to meet with the UFO group to talk about mutual interests and to promote the upcoming Rate Setting class, when we will be hosting Carl Brown, a national speaker on the topic. Direction from the Board is requested concerning coordination of the upcoming office session, the possibility of establishing a relationship/liaison with the UFO group.

Date	Proposed Training Class	Locations	Coordinator
Oct 08	Blueprint Reading – NEWWA Session	3	Jeff
Dec 08	Operator Forum – Fire Sprinklers / Cross Connection	3-4	Tony & Craig
Dec 08	Rate Setting	2-3	Greg

Dec 08	Fundamentals of Water System Hydraulics – 2 day – NEWWA session	2	Jeff
Jan 09	Chemical Feed Systems – NEWWA session	2	Jeff
Feb 09	Trade Show – Operator Math	1	Greg
Mar 09	Operator Forum – CUPSS asset management program	3-4	Terry & Herb
Mar 09	Ethics & DW System Operation – NEWWA session	3	Jeff
Apr 09	Basic Computer Skills – 3 :: ½ day session	2-3	Eric & Mike
May 09	NEWWA session - TBD	3	Jeff
June 09	Office Session	2	

Water Resources – McNelly

The committee meeting minutes from July 17, 2008 were included with the Board of Directors packet.

Public Awareness Committee – Dillingham

Dillingham informed the Board of Directors that the committee will have a booth at the Children's Water Festival. They will not display this year at the Maine Municipal Show as the date conflicts with the association's October bimonthly meeting.

A bookmark for water operators is being printed. As well, the rack card has been revised and is being reprinted.

McNelly and Martins will be meeting with Know Technology on August 18, 2008 to discuss enhancements to the MWUA website.

With unanimous consent, the Board of Directors entered executive session. The Board of Directors adjourned from Executive Session by unanimous consent and adjourned the Board of Directors meeting.

Board of Directors Meeting
September 4, 2008
Greater Augusta Utility District, Augusta

The September meeting of the Board of Directors of the Maine Water Utilities Association was held on Thursday, September 4, 2008 at the Greater Augusta Utility District, Augusta, Maine. President Johnson called the meeting to order. Directors present were LaCasse, Moriarty, Storer and Cox. Also present were McNelly, Martins and David Parent.

Communications

Greg Cataldo, representative of the Maine Wastewater Control Association's Government Affairs Committee Member, was present to provide an update on the association's current activities which include: strategizing for successful passage of the November 2008 bond which provides the SRF match for both the water and wastewater programs, developing a means for a sustainable trust fund initiative and planning for the January 2009 Legislative Breakfast.

Storer provided a recommendation for viewing the *"Liquid Assets"* video. The link is available at: http://liquidassets.psu.edu/overview/.

McNelly acknowledged receipt of Dick Berry's letter commending the association for the quality of the August 2008 Journal. The association is also in receipt of a letter from American Water Works Association noting that George Dugovic's Sid Anthony Award of Merit was included in the recent edition of Op Flow.

McNelly provided an update on his meeting with Roger Crouse of the Maine Drinking Water Program where a number of issues were discussed.

McNelly provided an update on his meeting with Kittery Water District in regards to the district's deliberations with Land for Maine's Future, York Land Trust and the Trust for Public Lands for a 151 acre parcel of land.

Financial Review:

For fiscal year end 2008, the association will be in the black to the extent of approximately $15,000.

Minutes

Draft minutes from the August 7, 2008 Board of Directors meeting were tabled until the October 2nd Board of Directors meeting.

Old Business

Storer informed the Board of Directors that a September 17th brainstorming meeting has been scheduled to discuss the content of the 2009 Drinking Water Week supplement. The Public Awareness Committee will meet on October 7th to review the subcommittee's recommendations. Storer and LaCasse will work together to develop an extensive vendor contact list.

New Business

A Nominating Committee Report was expected by the end of the business day, September 4th.

On a motion by Lacasse and a second by Storer, the Board voted unanimously to accept the 2009 proposed balanced budget which includes a 10% dues increase.

On a motion by Moriarty and a second by LaCasse, the Board voted unanimously to support the authorization to set up a separate bank account to manage the MWUA Scholarship Fund.

Executive Directors Report

McNelly informed the Board of Directors that the 2008 ME 135 Court Case did not result favorably for the Kennebunk, Kennebunkport & Wells Water District. The case was brought to court by a contractor who opposed the system development charges which he incurred.

Directors Report

Cox provided an update on Aqua Maine's August 8th rapid response to several storm emergencies in Freeport.

LaCasse noted that their health insurance premium is increasing by 7.5%, while Johnson noted there is currently no increase anticipated for the Portland Water District.

Johnson provided an update on current maintenance and construction projects at the Portland Water District.

Committee Reports

Legislative & Regulatory Affairs Report

Parent informed the Board of Directors that the Kennebunk, Kennebunkport & Wells Water District had submitted a response letter to Trout Unlimited in regard to the recent controversy with surface and groundwater withdrawal at the district. MWUA will request a meeting with environmental advocacy groups to expand their knowledge on groundwater supply.

Parent emphasized the need for strategy and outreach for voter approval of the November 2008 bond which provides the SRF match for both the water and wastewater programs.

Representative Richard Burns of South Berwick may sponsor legislation to put groundwater in the Public Trust. It may be prudent at this time for a state level planning effort via the Comprehensive Water Use legislation which was passed last year.

The Committee is supportive of hiring a consultant to draft letters supporting the referendum to secure the State Revolving Fund Match; which water utilities could disseminate as editorials to their local papers. The cost is expected to be between $2000 - $3000.

Maine Waste Water Control Association is scheduling a conference call to discuss the need to lobby for SRF legislation. Representative Flood agreed to sponsor the bill.

The committee is supportive of the Drinking Water Program appearing before the Health and Human Services Committee to inform them of their responsibilities.

Storer provided an update on Chapter 140.

The committee recommends the formation of a Drinking Water Political Action Committee.

There is Drinking Water Commission legislation to remove the AFM cap.

Program Committee

A joint Board of Directors and Program Committee meeting preceded the Board of Directors meeting for preliminary 2009 February Meeting and Trade Show planning purposes.

Education and Operations Committee

Johnson noted that Craig Douglas will be stepping down as Co-Chair of the committee.

Water Resources

"Drinking Water Source Protection: How to Live with New and Existing Development" seminar is scheduled for September 30, 2008 at the St. Paul Center in Augusta.

Public Awareness Committee

The committee will have a booth at the Children's Water Festival.

A bookmark for water operators and a revised rack card are being printed.

McNelly and Martins met with Know Technology on August 18, 2008 to discuss enhancements to the MWUA website. McNelly and Martins had a live Avectra netFORUM demo. Avectra offers a comprehensive membership database and online conference registration service.

Adjournment

On a motion by Moriarty and a second by LaCasse, the meeting was adjourned by unanimous consent.

Board of Directors Meeting
October 2, 2008
Bangor Water District

The October meeting of the Board of Directors of the Maine Water Utilities Association was held on Thursday, October 2, 2008 at the Bangor Water District. President Johnson called the meeting to order. Directors present were LaCasse, Moriarty, Storer and Cox. Also present were McNelly and Martins.

Communications

McNelly and Johnson provided highlights from New England Water Works Association's State Officers meeting.

McNelly informed the Board of Directors that the Trust for Public Lands effort directed at enabling source water protection will be meeting at the end of October. The group has identified imposing fees on water systems; as one means of funding the purchasing of watershed properties.

The Maine Drinking Water Program responded to McNelly's request for a listing of statutes related to surface use policy. The Legislative Committee is considering submitting a place holder bill which could be used to advance legislation aimed at protecting public water supplies from the vulnerability of contamination from boat launches, recreation and other related activities.

Financial Review:

For the fiscal year ending September 30, 2008, the association will be in the black.

The Directors reviewed the 2009 budget.

Minutes

On a motion by Storer and a second by Moriarty, the minutes of August 7, 2008 and September 4, 2008 were unanimously approved.

Directors Report

Storer provided an update on responding to a 12" river crossing main break on the Little Androscoggin River. Johnson informed the Directors that the Grow Smart Summit is planned for October 10, 2008.

Johnson provided an update on the Utilities Financial Officers October 16, 2008 meeting at the Portland Water District. On the agenda are: red flag alerts regarding FTC rules, PUC document #2008-228, Kennebunk, Kennebunkport & Wells Water District's Rate Design Case and Maine Power Options. The Directors have been invited to attend.

Johnson shared that *"Liquid Assets"* will air on PBS, November 2, 2008. McNelly will purchase 5 *"Liquid Assets"* DVDs as a resource for the association's members. Johnson also provided an update on a recent hydrant recall notice.

The Nominating Committee submitted the names of 2009 nominees to the Board of Directors as follows: Gordon Johnson, Donald Gobeil and Jonathan Ziegra. A letter announcing the nominations was mailed to voting members of the association. On a motion by Storer and a second by LaCasse, the Board voted that in the event there are no additional nominations from the floor at the October 2008 bimonthly meeting, to bypass section 4.4 in the associations Bylaws and accept the nominations of Johnson, Gobeil and Ziegra for terms starting in 2009.

Storer shared a recent Sun Journal editorial titled, *"Safe Guard Ground Water"*.

Old Business

Storer provided an update on the September 17th brainstorming meeting to discuss the content of the 2009 Drinking Water Week supplement. The Public Awareness Committee will meet on October 7th to review the subcommittee's recommendations. Storer and LaCasse will work together to develop an extensive vendor contact list.

The Drinking Water Source Protection seminar was held on September 30th at the St. Paul Center in Augusta. Seventy people attended. The association will ask presenters for permission to post their presentations online.

McNelly cautioned that there is only a small window of time left to strategize for successful passage of the referendum to secure the State Revolving Fund Match. MWUA had agreed to partner with the Maine Wastewater Control Association and have a consultant develop editorials. He will check on progress made thus far.

Johnson provided an update on the Supreme Court decision (2008 ME 135 Court Case - Quinlin vs. Kennebunk, Kennebunkport & Wells Water District) as it relates to a metering policy. Johnson recommended a more extensive review of terms and conditions for utilities.

New Business

McNelly provided an update on the citizen's petition being advanced by James Wilfong and others for a referendum which would place groundwater in the public trust. In response, the Maine Potato Council, the Forest Council of Maine and Maine Water Utilities Association have submitted two proposed bill titles to the Secretary of State's Office. McNelly will include an update on related activities in the November issue of Maine Water News.

McNelly recommended selecting Avectra NetForum; a comprehensive membership database and online conference registration service. On a motion by Storer and a second by Moriarty, the Board of Directors unanimously voted to authorize the motion to be supportive of Avectra Services to be implemented by the February Meeting and Trade Show. For one user for the basic service package, the annual fee is approximately $1500.

Committee Reports

Water Use Efficiency

McNelly distributed the September 23, 2008 meeting draft minutes. The following committee Purpose Statement was drafted for approval by the Board of Directors: *"Promote the efficient use of water by providing training, education and guidance in managing water resources and water use."* Committee objectives were identified as follows: Provide education for the water utilities profession on efficient water use and be an active participant in the creation of appropriate rules, regulations and recommendations regarding efficient water use.

The committee is also discussing a contemplated Water Supply Emergency Rule, being developed by the PUC, which will ultimately give systems the ability to impose water use restrictions on customers for emergency situations.

The next committee meeting is scheduled for October 28, 2008 at 9:30 AM at the Portland Water District.

Legislative & Regulatory Affairs Report

Representative Richard Burns of Berwick may sponsor legislation to put groundwater in the public trust. Parent and McNelly have requested to meet with Representative Burns. It was noted that it may be prudent to attempt to have this discussion take place within the established framework of the recently authorized Water Resources Planning Committee.

Program Committee - McNelly

McNelly shared that the Committee had met on October 1st in Scarborough. Planning is under way for the December and February meetings.

Education and Operations Committee

Johnson noted that Craig Douglas has resigned as Co-Chair of the committee.

Public Awareness Committee

The Committee's bookmark for water operators and the revised rack card were available for the Board of Directors.

Dillingham provided the MWUA News Supplement 2009 Brainstorming Session Highlights to Johnson for inclusion in the Board of Directors packet.

Next Meeting

The date and location for the November 2008 meeting will be confirmed.

Adjournment

On a motion by Cox and a second by Moriarty, the meeting was adjourned by unanimous consent.

Board of Directors Meeting
December 11, 2008
Portland Water District

In attendance: Jeff McNelly, Gordon Johnson, John Storer, Kathy Moriarty, Dan Wells, Steve Cox, Jeff LaCasse

Guests: Jon Ziegra, Don Gobeil, David Parent, Roger Crouse, Paul Hunt, Jim Wallace, Ryan Lynch

Communication

Director Bill Alexander recently had surgery and was unable to attend.

(Note: Because of schedules of meeting guests, the meeting topics did not follow the agenda chronologically.)

First topic was State Revolving Loan funding. McNelly provide a review with background on DHHS and MWUA processes on continued SRF funding including: the proposed legislative resolve to investigate future funding needs and sources and some concerns over the perception by some of inadequate DWP advocacy for the funding, and the fact that the DWP and DEP SRF programs were completely separate.
Jeff suggested MWUA should recommended that Maine CDC staff go to legislative committees to educate them on what the Drinking Water Program actually does to regulate and enforce the Safe Drinking Water Act, etc.

Discussion held among group on how the potential economic stimulus package might be administered by DWP and by DEP. Group was anticipating arrival of Roger Crouse to answer some of the questions.

Johnson brought up the subject of the proposed change in subsurface disposal requirements – a potential decrease in the minimum system depth allowed. He stated the Water Resources Committee had technical concerns with the potential increase in phosphorus and other pollutants such as PCCP's to surface and ground waters. For background, Storer related some of the history that the Auburn Water District had with the issue.

Paul Hunt addressed in more detail the concerns of the WRC on the issue. McNelly will use Paul's comments to put together draft for the hearing scheduled on the 17th.

The discussion moved on to linking the septic system issue to Chapter 353 requirements that impacts of any state agency action relative to drinking water sources must be considered in the review process for the proposed action. Paul stated that in his past discussions with DWP, there did not seem to be a mechanism in place to allow this inspection and enforcement to actually happen: suggesting perhaps a petition process from the local utility to initiate the process.

Storer related that Jim Hart has been carrying on the scientific analysis argument concerning phosphorus removal (or lack of) within septic systems.

Ryan Lynch, co-chair of the water use efficiency group, gave an update on what the group has been focusing on in the three meetings it has had to date. Ryan said it was related to some degree to the Chapter 587 stream flow rule that forced some introspection on water use. One thought currently is that water use efficiency has not been a high priority for water utilities in Maine. Any program to implement water use efficiency has to be long term to avoid rate shock. The group's first goal is to evaluate existing "tool boxes" such as those presented by EPA and NEWWA and to make training assistance available. He said AWWA has available a water audit program that uses basic system information to benchmark water efficiency within systems.

Back to top of agenda:

McNelly stated that dues letters have been sent out. One letter was received from Shurtleff saying that it regrets it cannot pay the $20 increase in dues.

Roger Crouse arrives from his taste testing session at the MRWA annual meeting.

He provided several handouts related to the SRF program and its history of funding and principal forgiveness. Responding to questions, he explained how the set asides are distributed (MMBB, staffing, technical assistance, cap grants, etc.). He addressed the current construction loan program of $27 million in requests with $13 million available.

Regarding principal forgiveness, there was some concern was expressed that there has not been a carrot for mismanaged systems vs. those with proper asset management and there should be a push for training on planning and asset management associated with any "grants".

Roger said that Andy Tolman will be sending out invitations for a session on ideas for strategy, with the session perhaps around February 24th.

Storer asked if there were any suggestions on how to fund the state WARN mutual aid network? There was a need for someone to be able to host a central website. Roger suggested there may be some security funds to help fund, but because it comes from state coffers, it must go out through proper channels. Storer suggested MEMA, MMA, or the University might be good sources, but many questions still remain.

Roger discussed the potential infrastructure stimulus package. He said that Bob Lenna of MMBB received an update yesterday. $9.5 billion was included in the current bill. Currently it would appear that $10 million would be available for Maine drinking water systems and $50 million for Maine wastewater systems. The state is looking for projects that would be ready to move dirt within 90 days of grant award – probably June. Andy Begin is in charge of accepting requests and a January 9, 2009 deadline has been set. Part of the process will be to rescore all backup projects on the Intended Use Plan construction project list with "ready to proceed" criteria being critical and high ranking.

Dave Parent suggested that, in most other states, everyone gets some principal forgiveness. To really promote a stimulus to assume new debt why not say something like "let's give 15% grant for all projects".

Next Roger addressed questions about the proposed subsurface disposal rules discussed earlier in the meeting. The subsurface group is part of the same department as the DWP. Roger stated that the rules are extensive

with more than 70 pages of markups to the existing rules. Russ Martin of the department has expressed that he feels there will be no impact in the shore land zone. Others feel there may be an impact and also have concerns with sites that are in the watershed of water supplies. In the past, it seemed that only site evaluators provided public comment to the task force, but in this case because of significant interest, the public comment period has been extended.

Roger said the DWP is reviewing the proposed changes for a potential response. The public hearing is next Wednesday.

Again following up on earlier discussions, Storer asked the DWP take on Chapter 353 and a potential mechanism to allow 353 to do what it intends. Roger said the issue would be reviewed.

Roger then addressed the potential change to the AFM (Alternate Finance Mechanism), which would remove the cap and affect only the Portland Water District. Regarding systems not paying their share, Roger stated that to date $405,000 out of $419,000 has been received. Five positions are funded from the AFM. An increase in the rate may be necessary in 2010. Parent asked whether the cap removal providing $25,000 would reduce the rates. Roger said it may stall an increase. Regarding primacy – an original reason to implement the AFM – Roger said EPA currently seems satisfied with compliance status and staffing levels.

The final issue discussed with Roger was advocacy of the CDC for the DWP and its issues. Roger said the department works differently than DEP with much work done behind the scenes, and the department works in line with the Governor's office.

Communications:

McNelly talked to the Dexter town council regarding its boat launch issue.

McNelly handed out a listing of the exhibitors at last year's February show for review. He asked to see if others might be missing.

McNelly stated that some smaller systems have not renewed their membership in MWUA. We continue to send them information/newsletters, but the board should address the issue as some point.

McNelly suggested that board members consider joining the Maine Wastewater Control Association. Membership applications are $35.

Financials

October statements were provided. Two comments:

MWUA Scholarship. The Public Awareness Committee wanted a separate account, but McNelly kept the $2133 as a separate line item. With less than 1% interest it was not a big enough deal to do work necessary for separation.

Because of the ongoing database work, the November financials are off and really should show $86,000+$73000 +/-.

Regarding membership retention, Moriarty mentioned that during the recent MRWA heard several comments regarding MRWA vs. MWUA with MWUA still regarded as "good ole boys". LaCasse mentioned that he has heard comments regarding the high proportion of associates/vendors/engineers vs. utility employees at MWUA meetings.

Approval of minutes of last meeting

Motion to approve by Storer to accept, second by LaCasse. Unanimous.

Executive Director Report

Issues were covered already.

Legislative Committee report

Parent reviewed proposed legislation for new session:

An MMA proposal seeking to assess fees to nonprofits

Potential Tabor 2 tax cuts

Excise tax cuts

School consolidation

Homestead exemption change

Two groups are working on infrastructure funding including legislation from Sen. Bartlett and a proposal headed by the Maine Tomorrow group.

Currently the plan is to work with MWWCA on the legislative resolve. The projected cost if it goes forward is $100,000-$150,000.

After discussion, it was decided that MWUA will focus on the legislative task force and will meet with Maine Tomorrow to keep communications going.

The Legislative breakfast is scheduled for February 4th.

There was discussion concerning a discussion on boil water orders at the MRWA conference. What the regulators said is against current understanding by utilities. Further discussions with the DWP need to be held to resolve the differences in understanding.

Old Business

The new database is starting to be used with an updated QuickBooks version.

Several articles for the Drinking Water Week supplement still need to be completed

McNelly visited Ocean Farms to see proposed speaker for the February meeting

Discussion on the initiation of the New Professionals series. Will have an initial get-together at the February conference. Will advertise in the January newsletter.

New Business

Discussion held on the potential for a more "user friendly" rate case process that would allow annual inflation based increases for utilities, an automatic small increase that makes sense without having to justify and without a public hearing. Johnson discussed the problems encountered in PWD's recent multi-year rate case. The plan is to get the subcommittee together with the MPUC staff to swap ideas and considerations.

Board meeting hosting and dates for 2009

Jan 8th – Brunswick-Topsham
Feb 4th – Following Legislative Breakfast - Augusta
Mar 5th – Kennebec Water District, Waterville
Apr 2nd - Bangor
May 7th – Kennebunk Kennebunkport Wells
June - AquaMaine - Rockport
July – No meeting
Aug – Auburn
Sept - Boothbay
Oct - Augusta
November - Portland
December – Kennebec Water District, Waterville

Officers for 2009

(Chosen by board consensus)

President: John Storer
First Vice-President: Kathy Moriarty
Second Vice-President: Steve Cox
Treasurer: Jon Ziegra
Secretary: Jeff LaCasse
Assistant secretary: Gordie Johnson

Query was made if MWUA wanted to support the Maine Development Foundation financially or assist in providing a tour of a water treatment facility in the Farmington area this year. It was decided to not support the efforts this year, but to evaluate again next year and possibly help arrange a tour of a water treatment facility.

Donation requests were reviewed and voted thus:

Maine Water Conference – $300 pledge. Motion by Storer, second by Moriarty. Unanimous.

Volunteer Lakes Monitoring Program - $200 pledge. Motion by Cox, second by Wells. Unanimous.

Maine Farmland Trust – Motion by Storer, no second. Motion dies.

GrowSmart – no motion to support.

Annual Awards

Discussion on annual awards nominees. Storer to call Nate Saunders of DWP to check on Excellence in Operations nominations.

Annual staff review and adjustment

Will evaluate at next board meeting. Jeff will provide recommendation for Becky.

Committee liaisons for 2009

Don Gobeil liaison on Water Resources Committee
Kathy Moriarty liaison on Legislative Committee

Gordie Johnson liaison on Education and Operations Committee
Steve Cox liaison on Program Committee- Program
? Public Awareness Committee liaison?

Motion to adjourn by Wells, second by LaCasse. Unanimous.

Board of Directors Meeting
January 22, 2009
Vassalboro Water Treatment Plant

Meeting held at Vassalboro Water Treatment Plant of the Kennebec Water District

Attendance: Directors Storer, Johnson, Gobeil, Moriarty, Ziegra, Cox, LaCasse, Executive Director McNelly, Committee Chairs Jefferson Longfellow and Mary Jane Dillingham

Communications:

McNelly received a card and donation from former MWUA president Al Packard (1968) who sent a check to help cover postage for the organization. Board members showed appreciation and suggested that honorary membership in MWUA might be appropriate. The check will be scanned and framed.

Ex. Director's report:

The vested retirement obligation to retiring administrative assistant Becky Martins was discussed. McNelly stated that: There is $4322 in the fund; Becky is 60% vested, and there are options for dispersal. The employee who leaves gets the deferred compensation in a 60/40 split with the 40% being dispersed to remaining employees. A second option would be to give 100% to the departing employee. MWUA has a contribution level of 5% of salary to the deferred compensation plan.

President Storer volunteered LaCasse to review retirement plan options and requirements and report back to the board so an informed decision could be made.

McNelly said that Jim West would like to address board at the February board meeting concerning NEWWA's efforts toward Sustainable Water policies.

The board reviewed the prospective awards to be given at February's annual conference. Nominees and presenters were discussed.

Director's report:

President Storer highlighted the effort in Dover-Foxcroft to garner public support for a water main replacement project that would be part of a larger MDOT road reconstruction project. The water utility will host a showing of the "Liquid Assets" documentary and give out free earmuffs (in honor of Chester Greenwood, the purported inventor) and pizza. This reaching out was suggested to be an indicator of how Maine Tomorrow and the Associated General Contractors (AGC) promote and win support for infrastructure projects and funding.

Kathy Moriarty gave an update on the process of the Bangor Water District to get permitting for a power generating turbine to be inserted into a transmission main running from its source, Flood's Pond.

Kathy also indicated that Bangor Water is pursuing a variance to the requirements of the Long Term 2 regulations for the Enhanced Surface Water Treatment Rule.

LaCasse stated that one of his trustees, engineer Al Hodsdon brought to light at an earlier KWD trustee meeting some concerns with the testing protocols required by the state Drinking Water Program and implemented by the state HETL laboratory. He said they have been impacting smaller utilities. LaCasse said he would try to gather more specific information on the issue.

Johnson reviewed some email correspondence from DWP compliance officer Dan Piasecki on the variance process.

Gobeil reviewed the progress of KKW Water District in its water source efforts. A potential new site has been located with significant quantities of high quality water available to the District.

Minutes

Motion by Moriarty, second by Cox to accept minutes of the previous meeting of January 8, 2009. Unanimous.

Program Committee

Storer stated he was a "Nervous Nellie" concerning the annual conference and trade show after Becky's retirement and asked Jefferson to review the progress and any potential pitfalls currently associated with the conference.

Jefferson stated that the committee was trying to anticipate and minimize any problems. Committee members are in the process of reviewing the Audio Visual needs and getting all the presentations pre-loaded.

McNelly brought forward a concern that some systems had just received, within the past couple days, their show brochures. The problem with this timing was that many might not be able to take advantage of the early signup discount – a problem not of their own doing. It was suggested to extend the deadline for a week with notification by an email blast to all members. McNelly would try to get the registration process software modified to be able to handle such a change.

Storer asked about vendor participants and the number currently committed. Board members had made some phone contacts in the prior week to determine if some vendors who had not yet sign on were going to participate and, if not, to find out why.

Directors stated they had received several positive comments on the new format for the show.

Moriarty asked if McNelly had any feeling for how many participants have signed up in comparison to past years. McNelly stated he would have a better idea by Saturday.

Storer reviewed the issue of requiring all trade show and conference participants to have badges – with a nominal charge of $20 for trade show only admission. He stated that one superintendent told him that he wouldn't pay for trade show admission for his crew members. Board consensus was that the reasoning behind the badge requirement was sound and can be re-evaluated after the conference.

Old Business

The Sustainable Infrastructure funding process was reviewed. Johnson and McNelly were at the most recent meeting that included regulatory groups as well as Maine Tomorrow and the AGC. McNelly passed out recent emails around that were intended to add more insight into the process and viewpoints of some of the participants. Dave Parent had concerns about going ahead on the resolve at this time. The meeting focus turned was directed to financing issues.

An upcoming meeting between the parties may need to be facilitated. McNelly reviewed potential options for a facilitator. Johnson thinks Maine Tomorrow has little understanding of our industry and has focused on getting work for its members. He feels there is a need to educate the group. Their past dealings have been mostly with transportation issues and the money component seems to typically be a single payer issue.

The next meeting is scheduled for Friday the 9th. McNelly and Johnson will provide a summary. More data will be collected and a sense of the participation and perspective of MRWA in this issue will be sought.

New Business

Storer reiterated that he is seeking to set some goals for 2009 including schedules for specific tasks and milestones to be completed during the year. Budget, personnel issues, and long term strategy would be included. In order to keep a focus on the success of the February show, however, he did not want to start any new process before the March board meeting.

Moriarty stated that some tasks and determinations naturally need to be completed prior to addressing others. Board members discussed the advantages and disadvantages of defining roles and then determining strategy against working on both issues together.

It was suggested that a workshop type session on the organization's budget and financial processes would be appropriate. McNelly felt he could construct the budget as always, but would assist if the board wants to be involved.

A tentative plan was formulated to dedicate significant time to the process at the March board meeting, perhaps making it an all day session in which the board could evaluate roles as well as review job descriptions and responsibilities. Goals for year could be set later. Gobeil asked if there was any summary document for new board members that would detail how board related processes play out each year. Storer stated that there has not been formal documentation, but there is certainly a need to make a deadline/planning schedule for each year. He commented that typically board members should not be caught up in minutia such as calling vendors for the trade show. Members discussed the need for the board to accentuate the primary focal points of the MWUA: advocacy, education, and networking.

The March meeting will be held in Waterville. Lunch will be ordered in. The meeting will be a major strategy meeting.

Public Awareness Committee

Mary Jane reviewed the "hot" issues that the committee has been involved in recently.

She was looking for volunteer judges from the board to handle the "Rigs and Gigs" contest at the trade show. Five board members showed interest: Johnson, LaCasse, Moriarty, Ziegra, and Gobeil. Cox stated he would prefer not to judge as some of his employees normally submit entries.

MJ said there are two recipients for the MWUA scholarships. The committee made two large facsimiles of checks for the presentation. She asked if representatives from the two nominating utilities, Bangor and Brunswick/Topsham, could sit with the recipients at the luncheon.

She stated that raffle tickets for the scholarship fund will be sold at the Public Awareness Committee booth at the trade show.

The Drinking Water Week newspaper supplement is almost complete as far as submissions. One article is left to be completed. MJ said that there is a need for some "high quality" digital photos that could be used in conjunction with the articles and asked the board to see if they had any or could get any. They could be submitted to MJ in .jpeg format.

MJ asked what the PAC's role was in the approval of the supplement. The committee members did not want to have exclusive accountability for the content of the supplement. Board consensus was that the board members would be happy to review and approve the content prior to a final decision.

Legislative Committee

Several bills dealing with Maine water supplies vs. bottled water were discussed, particularly LD 55 which seeks to restrict the sale of water from a "water district" to a private company for commercial use or profit. Some potential testimony "talking points" were reviewed. It was consensus that the MWUA position should not focus on just bottled water but on the issue of sale of water for any commercial purpose. Environmental stability and economic opportunity should be the points stressed. Most utilities have to dedicate between15 -50% of their revenues to pay off debt – to pay for their sustainable infrastructure needs – and commercial sales of water may be one way to reduce the cost and obligations to ratepayers.

In response to legislation proposed by the Maine Municipal Association regarding the granting of an ability to pass through credit card charges to customers who pay their bills with credit cards, the board followed the legislative committee's recommendation to let the process play out and see how it is shaped and if it may be useful to water utilities later. That stance was based on a recommendation by the Utility Finance Officers group.

LD 119 seeks to remove the $30,000 cap currently in place for AFM fees. Removal would practically impact only one utility, the Portland Water District. The fees support positions at the Drinking Water Program. PWD is the only utility that meets the customer numbers to push it over the current cap. MWUA will provide information but is taking a position neither for nor against.

Johnson brought up the potential economic stimulus program. AWWA doesn't think it will be too much of a stimulus in its present anticipated form. We will be waiting for more definitive information on the proposed distribution.

Executive session for personnel

Motion by Moriarty, seconded by Ziegra to enter executive session. Unanimous.

Johnson reviewed the summary of evaluations of the Executive Director compiled by the board. He highlighted and discussed several criteria on the evaluation form.

Jeff was presented with a memo summarizing his compensation package changes for the year 2009. The main points were that his salary was to be increased 2% over 2008 and the maximum annual reimbursement from MWUA for out-of-pocket costs related to health insurance (as defined in 2008) would be reduced to $1000 from $2000.

There was board discussion on developing and distributing a survey for the membership to gauge what it likes about MWUA and what it doesn't.

Motion by LaCasse to adjourn, seconded by Cox. Unanimous.

Board of Directors Meeting
February 4, 2009
Great Augusta Utility District – Wastewater Treatment Plant

Meeting began at 10 AM following the Legislative Breakfast held at the Senator Inn. Directors present: Cox, Moriarty, Gobeil, Ziegra, Johnson, Storer, and LaCasse. Also present was Executive Director McNelly and Jim West of the Portland Water District, representing the New England Water Works Association.

Executive Director's report

McNelly reported that a 28% increase in health insurance premiums under the current plan was anticipated for the upcoming year. The renewal period begins in April.

Director's reports

MMA Affiliate Group meeting – Cox and Storer attended the meeting of groups represented in some fashion by the Maine Municipal Association. They reported that there may be opportunities for MWUA to take advantage of some of the services offered by MMA to the other groups. MMA is currently constructing an addition to its Augusta headquarters to be dedicated to its outreach program for associations and affiliate groups.

Steve passed out laminated cards with phone contact numbers for Directors, Program Committee members and key other personnel as a tool to be available during the February conference.

Financials

McNelly gave an update on the implementation of the new QuickBooks program.

Moriaty asked about the apparent decline in dues payments shown on the financial report. McNelly said there has been some erosion of membership among corporate members and associate membership is down by approximately 30-40 members. The associate decline shows up in trade show numbers. Some associate members have combined, therefore reducing the overall number of dues paying members. McNelly indicated that he would be surprised if budget numbers are met on associate dues.

Feb. show update

Citing the fact that annual conference revenues were projected to equal approximately 17% of budget, Storer requested an update on the status of show participation. McNelly stated that he will have a better idea on the total revenues in March after show receivables are accounted for. He stated that exhibitors and booths were down 10-15%.

McNelly stated he hired Lori Hutchins of Fusion Events Planning to get the energy session finalized.

Some groups, including the MWWCA, ASCE, and AGC were given guest passes to show in hopes of stimulating interest for future partnerships.

It was noted that there is some support among MWUA to investigate a joint conference. Maine WasteWater Control and JETTC are potential partners.

Storer asked about a checklist for the show to make sure everything was addressed prior to the show.

Because the Utilities and Energy Committee of the Legislature scheduled two important bills for public hearing on the same day as the trade show, the board was asked to instruct McNelly on which event he should give priority. After discussion, it was determined that he should represent MWUA at the legislature, but try to spend as much time as possible at the conference. Legislative committee chair Parent would be presenting at the conference in the morning and then accompanying McNelly to the U&E Committee meeting.

The annual plan to have board members and program committee members "interview" vendors at the show to find out what they liked and disliked was altered somewhat from past shows. The assigned vendors would be grouped by location to make access easier for the reviewers.

It was agreed that Directors and Program Committee members would meet on the Monday evening prior to the show start in the Executive Director's suite at the Holiday Inn by the Bay for a pre-planning session.

New England Water Works Association initiative

Jim West presented some information related to a planned 5 year NEWWA initiative on sustainability of water resources. The plan is to include input from regional environmentalists, regulators, utilities and other groups. Jim said the many other groups have a consistent message that their members can stand behind. To date, water providers don't have a stated consistent message. It is felt by NEWWA that such a message would be important when regulators want answers on supplies, watersheds, sustainability of resources, etc.

It is felt that, currently, when regulators want answers on supplies, watersheds, or the sustainability of resources, etc. they go to other groups before us.

The initial NEWWA plan consists of the following proposed steps:

1. Draft a message statement
2. Review the process and the plan using our Maine representatives who have been involved in the process. Maine involvement has been through Jim, Rick Knowlton, Craig Douglas and Bruce Berger.
3. Presentations would be made to groups and a plan developed to move forward
4. Try to gather as many water supply industry leaders to discuss the message and consistent delivery of the message
5. The same group of our leaders will meet with other associated (environmental) groups

Jim read the draft of the "message". Copies were provided to all.

Jim also referenced an excellent article on sustainability authored by Dave Radka, President of Connecticut Water Works Association. The paper speaks of meeting the needs of the present without compromising the future.

The paper is on the Connecticut Water Works Association's web site at:
http://www.ctawwa.org/pdf/InFlow_Fall2008.pdf

Minutes

The minutes of the previous meeting were reviewed. Some adjustments were suggested. Motion to accept with revisions by Gobeil, seconded by Johnson. Unanimous.

A short discussion took place on the issues being faced by some water utilities which use chloramines as a disinfectant. In particular, some customers of the Champlain Water Utility in Vermont have complained of rashes they claimed are caused by the chloramination process.

Annual audit

The audit was presented at the last board meeting. The report was reviewed. Moriarty mentioned the notation in the "management letter" portion referring to the need to tighten the accounting of membership dues and asked if the new billing system would address this. McNelly said it would.

Based on the information received from the investment handler of the MWUA retirement account, motion by LaCasse, seconded by Moriarty to pay Becky 80% of MWUA contribution and to revise language in the personnel manual to match actual vesting schedule requirements (current language does not match legal requirement).

Septic/site evaluators' meeting with water resource committee - update

Storer reviewed the meeting. He said it was a good meeting and a reopening of public comment. Our water utility representatives are not backing off from original comments of concern over the potential impacts on water bodies from the proposed rule changes.

Update on Maine Tomorrow/Sustainable Infrastructure funding meeting

Johnson reviewed. In attendance were ASCE, AGC, MT, MWWCA, and MWUA.

There was good representation and good discussion. The report was reviewed. He said the group was looking for a commitment of $1800 from MWUA for Phase 1 of the planned project. It was the group's hope that all the participants are on board with the funding effort. A follow up letter to all who are not on board will be sent to determine if there are issues. Motion by Johnson, second by Ziegra to commit the funds to Phase 1. Unanimous. committing to Phase 1 second by Ziegra Unanimous. Maine Tomorrow will coordinate the contribution effort

The next meeting of the group is this Friday.

Drinking Water Week supplement

The offer for grant money from the DWP wellhead protection fund hasn't been followed through on. A participant utility must be found.

The vendor list for potential sponsors must be turned over to the Bangor Daily News staff by end of February in order to publish the first week of May.

DWP Stimulus Dispersal Clarification

A document provided by Roger Crouse of the Drinking Water Program clarified that, unlike the DEP with its SRF funds, the DWP does not need to go to a rulemaking or legislative process to change its rules in order to provide some level of principal forgiveness or grants with its loan monies.

AWWA fly-in

It was agreed the President and Vice-President would attend at the end of March. Moriarty and Storer will make arrangements.

Ed-Ops

Dan Wells provided a written update on the committee's activities. Everything seems to be on a proper course.

McNelly mentioned that a two day hydraulics class will be held in March. Two one day classes that were planned earlier were cancelled, due to logistical problems in that the instructor would have to finish a class in Holliston, MA at 5 PM one day and be in Calais to teach the morning of the next day. Given the time of year, it was felt best not to attempt to do this but rather hold a 2 – day class in the Bangor area and try to have the one day overview class at some later time

Moriarty asked for an explanation of how the Capacity Development set-aside is used. McNelly stated it paid for administrative costs, Op flow mailings, small system subsidies at bi-monthly meeting, and some training sessions. He said it is common not to use all the allotted money annually. McNelly indicated that he would forward the 2009 work plan to the Board.

Program

LaCasse mentioned that he and Brian Tarbuck had discussed putting together a "Manager's Breakfast Forum" type session on fire protection issues as the technical session for the April bi-monthly. LaCasse said he

thought the combination of the Manager's forums and the bi-monthly meetings in April and October might help both be successful. The program committee could focus on technical sessions for February, June, and December.

Legislative

The board reviewed the Talking Points created to address LD 55, Representative John Martin's bill on the sale of water by districts for commercial purposes.

The Talking Points developed for LD 238 were also reviewed.

Motion by LaCasse, seconded by Cox to adjourn. Unanimous.

Board of Directors Meeting
March 5, 2009
Kennebec Water District

The March meeting of the Board of Directors of the Maine Water Utilities Association was held on Thursday, March 5 at the Kennebec Water District in Waterville, Maine. President Storer called the meeting to order. Directors present were LaCasse, Moriarty, Johnson, Cox, and Gobeil. Also present were Executive Director, Jeffrey McNelly, and Jasmine McNelly.

Executive Session 9:30 AM till 12:15 PM (approx.)

An executive session of the Directors was held in the morning. Following lunch an executive session was held with Executive Director McNelly.

Executive Directors Report

McNelly shared that the Association received a Thank You Card from Jacob Spinney in regards to the scholarship he was awarded. It was passed on to the Scholarship Committee.

Financial Update

McNelly asked the Board if they would like to refund all those who were charged the $20 fee for admission to February Trade Show. It was decided by all present that the $20 fee should be credited.

The income of the February Meeting and Trade Show of 2009 was discussed. It was noted that a better understanding of the outcome of the budget for the show would be available in another month after more payments are received.

The February meeting training sessions were discussed; it was reported that the Infrastructure and Energy Track seemed to be very successful as was Session A in that it had the largest attendance of all sessions.

McNelly requested having two separate advertising fees, one for members and one for non-members. The Board granted that request.

Gobeil passed out an e-mail from Scott Minor in which he expressed concerns as to how the approval of drinking water projects under the federal stimulus package is being administered. Other concerns which had been voiced by members were discussed as well. McNelly asked the board if they would like to submit comments to the Drinking Water Program. The Board decided to not submit comments.

Legislative

LD 238 An Act Regarding Consumer-owned Water Utilities and Contracts for Water Extraction and for the Sale of Water: McNelly reported on the outcome of previous work sessions on this bill and expressed concern that the bill had not yet died in committee. A compromise amendment which had been drafted by the association was reviewed and discussed. The consensus was that the amendment was something that could be lived with. On a v motion of Gobeil and a second by LaCasse the Board voted 5 – 0 – 1 to move forward with the amendment. Cox abstained.

There was discussion of the Shapleigh Water Rights and Local Self-Governance ordinance which had recently been approved in that town over the objections of the Board of Selectmen.

A recent Time Record editorial titled "Who Owns Our Water?" in which the paper supported the requirements of LD 238 and similarly focused legislation and advocated for placing groundwater in the public trust, was discussed. It was decided that McNelly would draft a rebuttal response for review and submittal.

Sustainable Infrastructure Task Force

Johnson provided an update on a discussion on a proposal for water tax. He stated that it is important to know exact numbers and, hence impact, when proposing such a tax. The overall board direction on this issue is that they are strongly opposed; they want there to be a comprehensive approach to review this.

Maine WARN

President Storer updates board on progress of WARN. The group is seeking funding for the development and maintenance of a website.

February Minutes

On a motion by LaCasse and a second by Cox the Board voted unanimously to accept, with minor editorial changes, the minutes of the February meeting.

McNelly noted that an upcoming class Introduction to Computers would be held at three different community college locations.

February Trade Show Review

Program Committee comments from their last committee and Board recommendations for 2010 included: overall 209 was a good show, there is consideration being given to move the date to March and perhaps changing the location (possibly one combined location) and partnering with MWWCA as well as NEWWA on training sessions. McNelly informed the Board that concise planning needs to be completed soon.

Water Use Efficiency Committee

There was a brief discussion of a training session to be held later this spring. .

Review of Board's Morning Executive Discussion

There was extensive discussion of the Board's executive session deliberations of that morning. The Board proposes to redefine the Executive Director's job description. There is also consideration being given to outsourcing some or all of the e the administrative assistant functions. Outsourcing to the Maine Municipal Association and perhaps using the MMA facility as office space for Executive Director was discussed. Storer agreed to set up a meeting with MMA on Tuesday, April, 7, 2009. McNelly expressed his view that this needs to be an analytical process in that both the MWUA Board and MMA are clear as to what services would be provided and what the fees for those services would be.

There was also discussion as to the roles and responsibilities of the Executive Director and Board

McNelly offered to start working on a list of a complete list of all functions performed in the office from.

To-Do List

McNelly requests that all Board Members are present before the legislature for the next round of hearings on the Water Bill.

Motion made to adjourn by President Storer, agreed by unanimous consent.

Next Month's Meeting Scheduled for April 7, 2009 at the Maine Municipal Association.

Board of Directors Meeting
April 7, 2009
Maine Municipal Association

The meeting was held at the Maine Municipal Association in Augusta. In attendance were President John Storer; Directors Moriarty, Gobeil, Cox, Ziegra, Johnson, LaCasse; Executive Director, McNelly. Also there were Joan Kiszely and Janice Tevanian of MMA and Program Committee Chair Jefferson Longfellow.

Communications

Dave Parent's resignation as Chair of the Legislative Committee at the end of this legislative session was discussed. More discussion will continue in May.

Executive Director Report

McNelly shared a letter from George Dugovic along with a $100 donation to the association which the Board agreed to apply to the scholarship fund.

The Water Resources Planning Committee meeting in Sanford on March 16th was reviewed. It was a worthwhile session with excellent presentations by state officials, especially the State Geologist.

Staffing – MMA Discussion

A discussion with Maine Municipal Association staff centered specifically on what administrative services MMA could provide to MWUA. Joan Kiszely essentially serves as staff support for the affiliate members that use their services. Other potential services include the planning and scheduling of meetings, workshops and training sessions. For the Maine Wastewater Control Association they coordinate two conferences, one in the spring and one in the fall. Staff works closely with the committee chair. MWWCA is very good at delivering what MMA needs so that they can effectively provide the administrative services. Kiszely also does annual reports for some groups.

Storer reviewed MWUA functions and activities and explained the function and role of committees.

MMA has five staff people who interface with affiliates members. There is also access to a production shop. In addition they can provide financial services. That process was discussed. Contracts and fees are based on staff time; other services are extra. When asked, MMA could not provide an estimate of the amount of time spent on MWWCA activities.

It was decided that the Board and staff would meet on April 22, at 0900 at the Kennebec Water District for a planning session. McNelly and Moriarty agreed to develop an agenda. Board members were encouraged to provide input.

New Business

Program Committee – it was noted that the April meeting is all set; McNelly will contact Ray Raposa and Pat Connelly concerning the NEWWA State Leadership Award. There was discussion of a dialogue with MWWCA relative to a potential future partnership. It was noted that there was a need to have a meaningful dialogue with NEWWA concerning their involvement in and marketing of the 2010 conference.

The possibility of having the 2010 February Meeting/Trade Show under one roof, at the Holiday Inn by the Bay, was discussed as were other alternative future locations. Longfellow stated that the logical planning horizon for significant changes is 2011.

The NEWWA Operator Meritorious Service Award was discussed. No candidates were suggested.

Financial report

McNelly distributed the financial report and answered questions. He stated that some invoices related to the education work plan had been submitted and others were in process. It appears that the net income for February was in the neighborhood of $50,000. It is expected that the legislative budget will be exceeded; there will be a concerted effort to minimize the overage.

Minutes

On a motion of LaCasse and a second by Cox the minutes were unanimously accepted, with minor edits.

Legislative Update

McNelly reviewed legislative activities. There are numerous legislative documents being followed, with testimony already having been given on many bills dealing with water rights and related issues.

Directors Reports

Johnson provided an update on the sustainable infrastructure effort. LD 650 would establish an infrastructure fund, redirecting sales tax revenues on products which have a cost impact on water and wastewater operations. Although this may not be well received it is felt that having a comprehensive discussion with legislators is a beneficial thing to do at this time.

Moriarty and Storer provided an update on the AWWA Fly-In. they met with aids for Congressmen Michaud and Pingree and actually met with Senators Collins and Snowe. All of the meetings went very well and were most productive.

Storer discussed the progress on the Drinking Water Week supplement. The current effort is concentrating on securing advertisers.

Other Committee Updates

Water Resources Committee

On September 29 there will be a training session, the topic being subsurface wastewater disposal systems and their impact on water quality.

Education and Operations

It was reported that a number of training sessions are being held; the work plan for 2009 – 2010 is being developed.

Water Use Efficiency

A training session is being planned for June 3rd in Portland. The agenda will include several water use topics including supply management and demand management tools and methodologies.

There was discussion of the New Professional Series and related future efforts.

In September there will be a planning session with committee members. Storer will notify the chairs of that fact.

The meeting was adjourned by unanimous consent.

UNDERWATER SOLUTIONS INC.

IN-SERVICE INSPECTIONS
AND CLEANINGS OF
WATER STORAGE TANKS &
CLEARWELLS

P.O. Box 208
Mattapoisett, MA 02739
Telephone: (508) 758-6126
Fax: (508) 758-7128
Email:
uws@underwatersolutionsinc.com

MUNICIPAL DIVING SERVICES
WWW.UNDERWATERSOLUTIONSINC.COM
Servicing The Water Works Industry For 30 Years

Kleinschmidt
Energy & Water Resource Consultants

We are engineers, scientists and planners specializing in:

- Watershed Studies
- Wetland Studies
- Fisheries Studies
- Recreation Studies
- Civil/Site Engineering
- Permitting

Visit us online at
www.KleinschmidtUSA.com

Specialized Insurance Program for Water Districts

ENTERING
A Community Protected by
METROGARD

- Property
- Casualty
- Workers' Compensation

Ann Roemer, Regional Marketing Manager
800.444.3916 x 696
www.metrogard.com

MWUA 84th Annual February Meeting & Trade Show

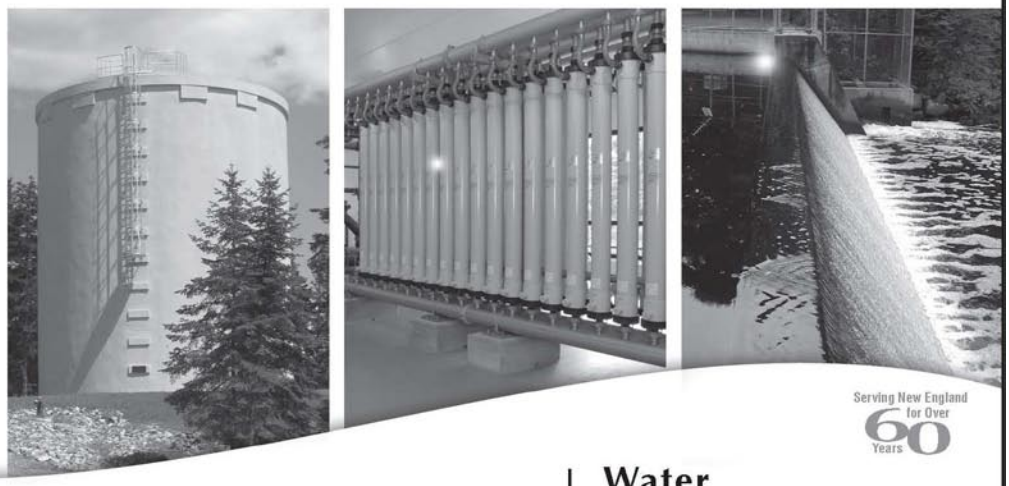
February 8-9, 2010
Portland, Maine

Recognized for Engineering Excellence. Selected for Service & Value

Serving Maine Municipalities for over 60 years.

99 Main St.
Topsham, ME
207.725.8721

75 Washington St.
Portland, ME
207.761.2991



Serving New England for Over 60 Years

WRIGHT-PIERCE
Engineering a Better Environment

Water
Wastewater
Infrastructure

Offices throughout New England | www.wright-pierce.com | 888.621.8156

MONSON COMPANIES

Providing Maine and New England with Industrial and Environmental Chemicals for Water and Wastewater Treatment

Please email your inquiries to: lpetcher@monsonco.com

Customer Service (800) 235-0957

Visit us on the Web at www.monsonco.com

One Runway Road • PO Box 2405
South Portland, Maine

154 Pioneer Drive
Leominster, Massachusetts

THE MAHER CORPORATION

192 Pleasant Street • Rockland, MA. 02370

- Water Treatment Equipment
- Wastewater Treatment Equipment
- Pumping Equipment
- Valves, Actuators & Accessories
- Roots™ Air Blowers

Tel: 781-421-2600 • Fax: 781-878-1219
Emails: psussman@themahercorp.com
pkibble@themahercorp.com

Toll Free: 800-456-2437
www.themahercorp.com

A. E. Hodsdon Engineers
10 Common Street
Waterville, Maine 04901

Tel: (207) 873-5164 Fax: 872-0645
e-mail: aeheng@prexar.com
www.aehodsdon.com

Design	Inspection	Operations	Planning

Water Systems, Storage & Treatment
Groundwater, Wells, Hydrogeology
Wastewater Collection/Treatment
Underground Storage Tanks
Construction Administration
Water/Wastewater Operations
Site Development/Subdivisions
Environmental Site Assessments
Solid Waste
Building Design
Feasibility/Rate Studies
Road & Highway Design
Environmental Permitting
Storm Water & Flood Plains

CIVIL-ENVIRONMENTAL CONSULTANTS

781-769-2400
1-800-426-6246
Fax: 781-769-8222

Email: dcloutier@stilesco.com
Cell: 781-686-3742

Stiles Co, Inc.
Water Works Products
David Cloutier

FORD METER BOX
REED
BadgerMeter, Inc.

Ford
- Corporation Stops
- Lead Pipe Replacement Fittings
- Ball Valves, Curb Stops, Service and Meter Valves
- Meter Pits, Covers & Boxes

Badger
- Fire Hydrant Meters with all connections
- Automatic Meter Reading Systems

Pipe Line Products
- 3/4" to 2" "K" Copper
- Uni-flanges
- 3/4" to 2" CTS and IPS PE Tubing

Miscellaneous
- Watts Backflow Prevention Assemblies
- Marking Paint, Caution Tape, Aervoe
- Fernco Couplings
- Schonstedt Pipe Locators & Leak Detectors
- Reed Tools

Clean solutions to complex problems.

When you need to focus more on your goals and less on your obstacles, we can help you develop effective legal strategies to meet your needs, from operational to legislative. For more information, please contact William S. Harwood or James I. Cohen.

Verrill Dana LLP
Attorneys at Law
Supporting the business of New England for nearly 150 years.

One Portland Square • Portland, ME 04112-0586
207-774-4000 • www.verrilldana.com
Augusta • Boston • Hartford • Washington, DC

There's no substitute for experience

Water Rights
Water Supply Plans
Groundwater Exploration
Well Design & Rehabilitation
Wellhead / Source Water Protection
Water Resource GIS Mapping & Databases
Groundwater / Surface-Water Interaction Studies

Leggette, Brashears & Graham, Inc.
Professional Groundwater and Environmental Services

Contact: Frank Getchell, MEPG
800.818.8LBG | email: info@lbghq.com

Offices Nationwide | toll free 877-959-7800 | www.lbgweb.com

RHW
R.H. WHITE CONSTRUCTION

"New England's Choice for Quality Utility Construction Since 1923"

- Treatment Plants
- Design-Build
- Pump Stations
- Underground Utilities
- Mechanical Installation
- Construction Management

41 Central Street • Auburn, MA 01501 • 800-922-8182

Celebrating 85 1923 RHW 2008

www.rhwhite.com

GAC Chemical Corporation

MANUFACTURES & DISTRIBUTES

INDUSTRIAL, SPECIALTY
INORGANIC & ORGANIC CHEMICALS

Primary Markets
· Pulp & Paper
· Energy Plant
· Industrial Manufacturing
· Agriculture
· Potable Water & Waste Water

Kidder Point Road • P.O. Box 436 • Searsport, ME 04974
(207) 548-2525 • (800) 266-5155 • Fax: (207) 548-2891
Email: jlynch@gacchemical.com • Cell Ph. (207) 322-1292

JOE LYNCH - TERRITORY MANAGER

Layne
LAYNE CHRISTENSEN COMPANY

Experienced
Equipped
Committed

Resource Development
Filtration Systems
Membrane Systems
Infrastructure

Layne Christensen's combination of experienced technical staff and resources allows us to identify and develop the most practical water source for our clients.

We resolve water quality problems through custom-engineered filtration and treatment systems.

Layne Christensen's chemists and engineers determine the appropriate treatment technology, then provide systems scaled to each customer's requirements.

Layne Christensen Company: Experienced, equipped and committed to solve your unique water needs...

...since 1882

(978) 937-2242
www.LayneChristensen.com

Your Portable Construction Equipment is Here!

Ingersoll Rand
Authorized Dealer

TRASK-DECROW MACHINERY
The Power Behind Your Process

efficiency MAINE

1-800-287-1538 • www.trask-decrow.com

12-Month Interest-Free Financing Available

DIRIGO ENGINEERING

RESPONSIVE
RELIABLE
PRACTICAL

SERVICE ORIENTED
PROFESSIONAL ENGINEERING
FOR MAINE

2 DIRIGO DRIVE
FAIRFIELD, ME 04937
(207) 453-2401

Laboratory Instruments:
Service & Sales

QC

Autoclaves
Microscopes
Turbidimeters
Chlorine Analyzers
Spectrophotometers
* Scales to 10,000 lbs.
*Weight Set Calibration

Ovens
*Balances
pH Meters
DO Meters
*Pressure Gages
Conductivity Meters
*Thermometer Calibration

Fully Authorized YSI Sales & Service

30 YEARS of Service to Maine, New Hampshire and Vermont

24 Hour - 7 day
Emergency Service

THAT EQUITY MAY PREVAIL

Q.C. Services, Inc.
P.O. Box 68
Harrison, ME. 04040

Phone: 207-583-2980
Fax: 207-583-6936
Email: qcservices@gwi.net
www.qcservices-maine.com

FAY, SPOFFORD &
THORNDIKE

Engineers - Planners - Scientists

Water Specialists

Planning, Design and
Construction Services

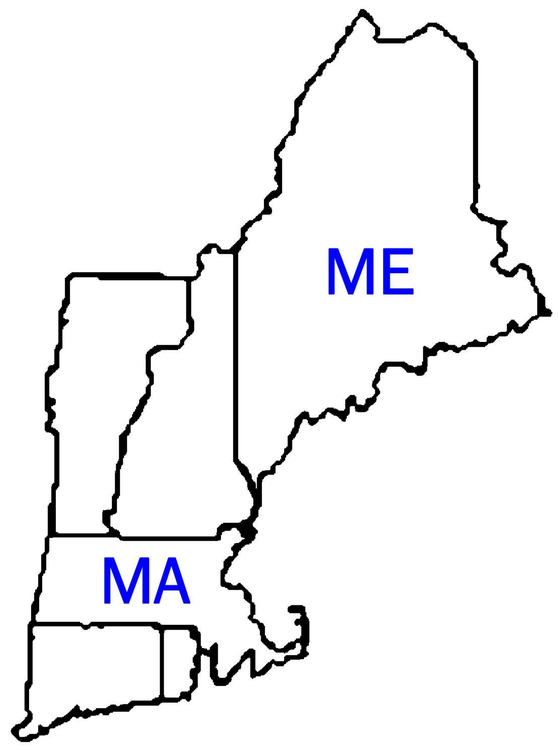
ENGINEERS
FST
Since 1914

5 Burlington Woods - Burlington, MA 01803
1-800-835-8666

Maine Water Works Supply Corp.

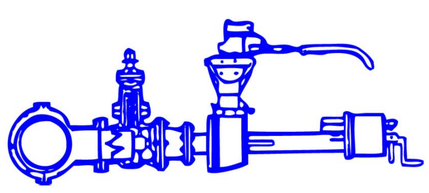
Water Works Specialists

Distribution Center for all
Water - Sewer - Drain Materials



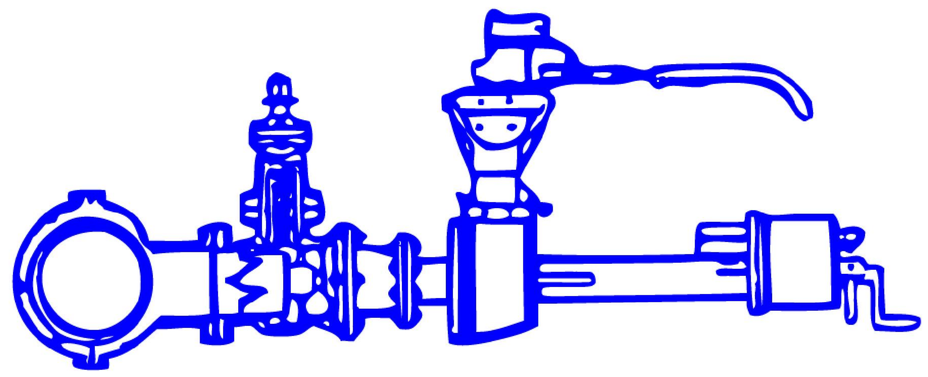
John Hoadley and Sons, Inc.
672 Union Street
Rockland, MA 02370
Tel: 781-878-8098
Fax: 781-878-5298
www.hoadleyandsons.com

24 Hour Emergency Number
781-878-8098



Maine Water Works Supply Corp.
29 Industrial Park
Oakland, ME 04963
1-800-639-2209
Fax: 207-465-3633

24 Hour Emergency Number
207-465-2116



24 Hour Sales & Service

- Tapping Sleeves & Gates Installed/Cut
- Line Stops
- Cutting of Chilled Water Lines & Steam Lines
- Pressure Testing & Disinfection of New Mains
- Dechlorination & Sampling of New Mains
- Installation & Testing of Backflow Preventers
- Large Diameter Hydraulic Pipe Cutting
- Hydrant Installation & Repair

Water - Sewer - Drain Supplies
at a Competitive Price

- Ductile Iron Pipe & Fittings
- Mueller Fire Hydrants
- Mueller Gate Valves
- Brass Fittings - Copper Pipe
- Mueller Service Brass
- Tapping Sleeves & Gates
- Tapping Saddles, Repair Clamps & Couplings
- Sanitary Sewer Pipe (SDR 35) & Fittings
- ADS N-12 Drainage Pipe & Fittings
- Safety Equipment & Tools - Tapping Machines
- Manhole Frames & Covers
- Catch Basin Frames & Grates
- Infiltrators & Storm Tech Chambers
- EBAA Iron - Megalugs

"Quality Without Compromise"

John Hoadley and Sons, Inc.

Water has a mind of its own.

We just outsmart it.

Tricky? Yes. Powerful? Very. Uncontrollable? Hardly.

Getting water to do what you want it to do is easy with EJP. We match the power of water with superior thinking and capabilities for water management, along with the **quality** products from the best manufacturers. This is how EJP delivers money-saving and **revenue**-generating water management systems and higher water **conservation**. For a complete list of EJP products and services, visit **www.ejprescott.com.**

PIPELINE SPECIALISTS

TEAM EJP

Harnessing the power of water.

1-800-EJP-24HR

(357-2447)

www.ejprescott.com

WATER, SEWER, DRAIN & STORM WATER SOLUTIONS