

Town of Southwest Harbor  
Water/Sewer Board  
Tuesday, December 7<sup>th</sup>, 2010 @ 6pm

**Attendees:** Town Manager-Robin M. Bennett  
Select Board-Dorr Wilson, Trudy Bickford, David Minctons, Ralph Dunbar, JR.,  
George Jellison, JR

**Public Works Director:** Pat Biegler

**General Public Attending:** Mark Good, Richard Dimond, Gordon Wissinger, John Kachmar,  
Don Lodge, David Kessner, Jarvis Newman

**I.) Call to Order/Roll Call.**

Dunbar called the hearing to order @ 6pm.

**II.) New Business**

**a. Town Attorney's Letter dated November 19, 2010**

Board has the right to move forward with projects and the Taxpayers have the right to refuse at Town Meeting. Bennett added that the Town must also receive PUC approval for any projects to be paid from user rates, as has always been the procedure. Projects paid from general taxation do not need PUC approval. Wilson stated that he would like to see the Ordinances and the Votes in agreement. The Board agreed and there was discussion on the possibility of a Special Town Meeting. Bennett stated that it may be best to have this topic as an item for the regular Town Meeting in May which is more widely attended. The Board agreed. There was also discussion regarding some of the wording for the Ordinance changes that were proposed in November. It was stated that some of this language may have been confusing to the voters. Amendments to bring the Ordinances in compliance with the May 2010 vote will be presented again at Town Meeting in May 2011 with more clear language to be drafted by the Town Attorney and approved by the Board of Selectmen. Bickford suggested a newsletter in order to help inform the public to help avoid the confusion going forward. The Board agreed. Bennett asked for the Board to consider taking a position on the matter so that voters could look to them and know what they think is best for the Town.

**b. Water Ordinance**

The Public Works Director spoke on a couple changes that had taken place regarding the Water Ordinance. The flat rate wording has been removed, the formulas have been clarified in both the Water and Sewer Ordinances, and there will be a few more changes to take place in January 2012 due to a PUC rule change. Public comment was made to request that this Ordinance state somewhere that the Water Department is governed and regulated by the Public Utilities Commission, (PUC).

**c. Sewer Ordinance**

The Public Works Director stated that in the Sewer Ordinance changes represent a major rewrite as it was quite outdated in many sections. The changes also address a couple of major issues for the Sewer Plant. The first is infiltration from storm drains connected into the sanitary sewer; this is not where they should drain. This infiltration causes storm water to be unnecessarily treated. Second is grease that is not being trapped and disposed of properly before it enters the system. Correcting these issues will extend the life of the system.

The Board agreed to have the proposed changes read for discussion at the December 28<sup>th</sup>, meeting.

**d. Mansell Lane/Wesley Avenue RFP**

Three proposals were received; CES, Olver & Associates, Woodard & Curran. The Public Works Director has recommended going with Woodard & Curran as they were the lowest bidder. Bennett stated something has come up that was not included in the original scope of the project but would need to be completed at the same time. There are water mains that run in that area that would also need to be replaced. We would negotiate the price for the additional work with whichever company is chosen to complete the original project. Jellison asked if the money was available in the bond to cover the additional work. Bennett responded that there is. Dunbar asked is the high cost of Inspection could be off set by having someone from in house do the inspections. Bennett and Wilson feel it is well worth the cost to have someone dedicated to making sure things are done correctly through the whole project.

Wilson made a motion to accept the recommendation of the Public Works Director for Woodard & Curran at the cost of \$89,400. Bickford seconded. Motion and second withdrawn. Wilson made a motion to accept the recommendation of the Public Works Director to award the project as bid to Woodard & Curran and negotiate the contract on the additional work that needs to be done. Dunbar seconded. Vote 5-0

**e. Water Commitment \$28,452.81**

Bickford made a motion to approve the commitment as presented. Wilson seconded. Vote 5-0.

**f. Sewer Commitment \$16,852.35**

Bickford made a motion to approve the commitment as presented. Wilson seconded. Vote 5-0.

**III.) Other Business**

Mr. Dimond thanked the Board on behalf of those who could not attend the meeting.

**IV.) Executive Session pursuant to 1 M.R.S.A. §405(6)(A)**

Bickford made a motion to enter executive session pursuant to 1 M.R.S.A. §405(6)(A) at 7:05pm. Wilson seconded. Vote 5-0.

Wilson made a motion to come out of executive session at 7:46pm. Dunbar seconded. Vote 5-0.

**V.) Adjournment**

Wilson made a motion to adjourn at 7:47pm. Dunbar seconded. Vote 5-0.