

**Bangor Water District
Board of Trustees**

**Minutes of the Regular Meeting
July 20, 2021**

The regular meeting of the Bangor Water District Board of Trustees was held at 3:45 p.m. in the Hughes Building, 614 State Street. Trustees and staff attended in person; remote participation was available but no one joined the meeting. Present were:

Ralph Foss
Patty Hamilton
John Hwalek
Gerry Palmer
Robert Sypitkowski
Michael Timpson
Dan Wellington

being more than a quorum of Trustees. Also in attendance: General Manager Moriarty, Finance Manager Silva, District Engineer Killip, and Office Manager Marchegiani.

I. **Public Comment:** None.

II **Public Hearing:** Chair Palmer opened the public hearing on the proposed policy to allow remote participation by Trustees in Board meetings. Since no member of the public had joined the meeting, the hearing was declared closed.

III. **Administrative:**

Minutes: After discussion, the minutes of the regular June meeting were accepted as corrected.

Report of the Treasurer: Silva reported that operating expenses are lower than budgeted, due in part to vacant positions and the accompanying benefit costs. In other areas such as materials and supplies, expenses are lower due to delayed purchases and therefore delayed bills for those purchases. She anticipates the expenses will catch up with the budget by year's end. Metered revenue is almost identical to last year.

Progress Report: Moriarty noted the recent rain has helped the level of water in Floods Pond. After questions, accepted as written.

Reports of the Personnel Committee: Committee chair Sypitkowski reported the group had met for its quarterly check-in with the General Manager. Additionally, the board's bylaws – which are being revised – will be reviewed by legal counsel, with potential action by the Board in August.

IV. Old Business:

Merle Moore: Chair Palmer asked for a moment of silence to acknowledge the passing of retiree Merle Moore, a 51-year employee of Bangor Water.

Engineer's Report: District Engineer Killip updated the Board on

- BIA-area pressure zone project – staff reviewing tanks options (pre-stressed concrete vs. composite pedestal) for new standpipe.
- State Street project – final trench paving for water main done. Night work on sewer has begun.
- Ozone plant upgrade – still waiting on stainless steel delivery so demolition on hold until arrival date confirmed. Hoping for August start.
- Pond road power line – awaiting delivery of remainder (70 percent) of the poles in six to eight weeks. Clearing, layout, and hole drilling to be completed in advance.
- Thomas Hill flag pole – ultrasonic testing scheduled for July 26 regarding location and level of pole deterioration. Information will be used for repair/replace decision.

Workforce Planning and Recognitions: Moriarty reported

- Treatment plant operator Mike Billings has completed all his licensing requirements
- Second interviews have been scheduled with candidates for Office Manager
- The search continues for Utility Workers
- The position of Assistant Engineer – vacant for 1 1/2 years – will be advertised

Rate case update: Moriarty noted a meeting had been held for the largest consumers, and with staff to review the pending increase. The rate case has been filed with the Maine Public Utilities Commission, and information is now available at the office and on the website. Notices will be mailed to customers in advance of the public hearing next month.

Moriarty touched briefly on the Brewer Water Dept. rate case, which is seeking a 15 percent increase in metered rates and a four percent increase in fire protection charges. Typically, the MPUC does not allow various classes of customers to be treated differently regarding a rate increase, but Moriarty said Brewer's variance had to do with the transition from water district to city water department a number of years ago. In order to decrease metered rates, Brewer Water received a waiver from the MPUC to raise revenues from fire protection above the 30 percent capped by regulation. With subsequent rate filings, Brewer has been adjusting rates to readjust the fire protection revenues toward 30 percent. Moriarty added that Bangor Water raises approximately 14 percent of its revenue from public fire protection charges; a Cost of Service Study scheduled for 2022 will help determine if that continues to be the appropriate percentage.

HR update: Moriarty said an RFP had been requested to provide assistance with a number of HR functions as Bangor Water has no in-house human resources position. These would include a review of the pending Personnel Handbook, a review of job descriptions and HR policies, HR training, and assistance with the General Manager's evaluation process. A wage and salary survey is also underway (typically conducted every five years) to evaluate Bangor Water's current pay scales.

V. New Business:

Remote participation in Board meetings: Moriarty reviewed legislation which will allow remote participation once the State of Emergency expires on July 30. Prior to the declaration due to COVID, there was no mechanism for remote participation available to public boards or councils. Bangor Water's policy reflects the legislation, with the expectation that members will be present in person unless

- The entire board is required to meet via remote methods due to an emergency or urgent issue or
- A Trustee is temporarily absent from the area or has an illness, either of which would cause significant difficulty traveling to the meeting location.

Moriarty discussed the need to provide public notice if remote participation will be available. After discussion, Board consensus was to post all meetings with remote participation available for the foreseeable future. It was then upon motion, being made and duly seconded, unanimously

VOTED: to adopt Trustee Policy P-6 as presented (and attached to these minutes)
(All Trustees present were visible during voting.)

Vehicle bid: Moriarty presented the bids for replacing a 2015 one-ton dump truck, with three vendors responding out of five contacted. The low bidder had a vehicle available; the remaining two vendors had a lead time of several to six months before the vehicle was available. After discussion, it was upon motion, being made and duly seconded,

VOTED: to award the bid to the low bidder, Darling's at \$39,852 (after trade).
(Trustee Foss abstaining)
(All Trustees present were visible during voting.)

Board package correspondence: Moriarty reminded the Board of a training session by the Maine Rural Water Association on August 2.

Executive Session: It was upon motion, being made and duly seconded, unanimously

VOTED: to adjourn to executive session for consultation with Bangor Water's legal counsel, and then to return to open session.
(All Trustees present were visible during voting.)

Other business: Upon return to open session at 5:35 and hearing no further business to come before the meeting, it was upon motion, being made and duly seconded, unanimously
VOTED: to adjourn at 5:36. p.m.
(All Trustees present were visible during voting.)

Dan Wellington, clerk

Ralph Foss

John Hwalek

Gerry Palmer

Robert Sypitkowski

Michael Timpson



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Kathy Moriarty
General Manager

Board of Trustees Policy P-06 Remote Participation in Board Proceedings

Background:

Pursuant to State law and following a public hearing on July 20, 2021, the Bangor Water Board of Trustees adopts the following policy to govern the remote participation of members and of the public in proceedings or meetings of the Board.

Expectations:

It is the Board's expectation that members will be present in person unless

- A Trustee has cause to meet via remote methods due to an emergency or urgent issue or
- A Trustee is temporarily absent from the area or has an illness, either of which would cause significant difficulty traveling to the meeting location

Notice:

If any Trustee participates remotely, then the public must have an opportunity to participate remotely, including public input if allowed or required. A Trustee who wishes to participate remotely will notify the Chair and General Manager far enough in advance to allow posting of Notice of the proceedings to include the method for public participation.

Public attendance cannot be restricted to remote participation unless an emergency requires the entire Board to meet remotely. Therefore, any Notice will also provide an address for in-person attendance.

Process:

A Trustee attending remotely is considered present for a quorum and for voting.

Remote methods of participation include telephonic or video technology allowing simultaneous reception of information, and may include accommodations for disabled persons. Meeting participation may not be by text-only methods such as email, text messages, or chat functions.

If remote participation by any Trustee is audio only, all votes must be by roll call. If remote participation by all Trustees includes video, all Trustees voting must be visible to all other attendees.

Documents and other materials which would be customarily available to the public who attend in person must also be available to members of the public attending remotely, provided no additional costs are incurred in the process.