

**VEAZIE SEWER DISTRICT  
FEBRUARY 8, 2012 – MINUTES  
6:30 P.M.**

Attended by: Chair Esther Bushway, Trustee Gary Brown, Trustee Rob Tomilson, Supt. Gary Brooks, Tammy Olson, and members of the public.

- 1) Call Meeting to Order – Esther called the meeting to order at 6:34 p.m.
- 2) Consider Meeting Minutes of January 11, 2012 – Rob moved to accept the minutes of January 11, 2012 as written; Gary seconded. Vote 3-0, passes.
- 3) Review Agenda – There were no changes to the agenda.
- 4) Lien/Foreclosure Update – a) The conflict of interest issue caused by attorney Erik Stumpfel’s move to the Rudman Winchell law firm was discussed. This law firm represented the Crowes, and Erik Stumpfel had worked on the Crowe case while he was at Eaton Peabody. For Rudman Winchell to continue to represent the Crowes, both the District and the Crowes would have had to waive conflict of interest. The District chose not to do that. b) Supt. Brooks informed the Trustees that Mr. Crowe paid the property taxes that were due on February 10. This prevents the Town from foreclosing on the properties this year. The next liens the Town has won’t be up for foreclosure until next year. c) The legal action involving the Crowes was discussed, including their motions and the District’s rebuttals. The next step is the eviction hearing currently scheduled for March 5.
- 5) Department of Labor Enforcement Inspection – Supt. Brooks described the role of the Department of Labor. The District was randomly selected for a safety inspection, and they showed up on January 20 unannounced, as is their normal practice. Supt. Brooks told the inspector that we had not had an inspection in the 23 years this plant has been operating. Supt. Brooks described the things the inspector asked about and documentation he wanted to see. We had a few citations and one penalty of \$550. This penalty was for the three structures we have that someone occasionally needs to climb up on to adjust the flow up or down. The issue is that if someone fell, the distance they would fall would be greater than 4 feet. This is an issue that was not discovered by our Maine Municipal Association insurance inspectors, the safety inspector through our voluntary SafetyWorks! Inspection, or the engineers that worked on the plant upgrade. To correct this we need to install railings, which we will do in house. Supt. Brooks described the materials needed and how the work will be completed. He then stated that we have the option of disputing the citations and fine, though we would have to go to Augusta to dispute the fine. Esther said that if we pay the fine, she wants them to receive a letter stating that we paid engineering firms thousands of dollars and that they did not catch this. Rob said he would rather dispute it. Esther added that it is not a lot of money, it is the principle. Rob said he is in favor of appealing the fine. After we have fixed everything, we could show them due diligence. Supt. Brooks said he will get the certified mail out to appeal.

- 6) Superintendent's Report – a) The facility is running well. b) The auger screen is back and was installed a couple of weeks ago. The costs were briefly discussed. c) Supt. Brooks updated the Trustees on the boundary issue. We will need a town vote before a change in legislation. d) Supt. Brooks informed the Trustees about the costs involved when Bangor Hydro replaced three insulators after our January 2nd power outage. In the near future, we will also need to replace the cracked lightning arrestor that Hydro disconnected. Because this is a private line, the District will be responsible for the costs and those costs were discussed. e) The Veazie Town Council held a workshop a couple of weeks ago. Each councilor received three votes to place on the issues most important to them. The District ended up with two votes — which placed it in the top three or four goals — because Councilor Jon Parker put two of his votes on it. Part of the issue with the District is its assessment, and it was mentioned that all assessments should be looked at, including the Orono-Veazie Water District. At this workshop, Councilor Parker stated that the District has no oversight. Supt. Brooks said that we are governed by our Board of Trustees, the DEP, the EPA, our charter, etc. He added that the Town of Veazie can change the Town's charter with a public hearing held during any regular council meeting, whereas the District has to go to Augusta and get changes made through legislation. Member of the public Brian Perkins brought up the workshop the District had with the Town last year, and how it was the consensus of the Town Council to raise the assessment to keep sewer rates lower. f) Supt. Brooks reminded the Trustees that the Town needs the assessment by April 1 so it needs to be discussed next month. The new stormwater assessment in Bangor was briefly discussed. Our upgrade and some of the tough decisions the District Trustees have had to make were discussed. Rob asked how much capacity we had left and how that translated into number of houses. Esther stated that Duke Energy could have contributed financially to the upgrade, but we were excluded by the Town. g) Rob asked Supt. Brooks if he has met the new town manager, and Supt. Brooks said he met him on his second day on the job to discuss the Crowe issue. He added that Mr. Hayes will be coming to the District for a tour.
- 7) Other Business – a) Supt. Brooks requested an IRA change to the personnel policy. He described the definition of regular and part time employees. Esther moved to add “and regular part time” to number 24 of page 11 of the personnel policy; Gary seconded. Vote 3-0, passes. b) Tammy provided the answers to the audit questions Rob had at the last meeting. c) Esther stated that with all that's going on, she wants an employment contract for Supt. Brooks. The proposed contract was distributed. Rob asked if it has been reviewed by Tom Brown, and Esther said she felt the District did not need to pay a lawyer to look at it. Gary added that it looked like a standard employment contract. Rob said he would like Tom to review it. Esther told Supt. Brooks to provide the contract to Tom tomorrow.
- 8) Adjournment – Rob moved to adjourn, Gary seconded. Vote 3-0, passes at 7:46.

NEXT MEETING: MARCH 14, 2012 AT 6:30 PM

Minutes approved March 14, 2012, by a vote of 3-0.

Gary Brown, Secretary. 3/14/12