

FINAL

**MWWCA Executive Board Meeting
Thursday, February 17, 2011
Senator Inn
Augusta, ME**

MINUTES

Attendance: Paul Rodriguez, Jeff McBurnie, Al Jellison, Travis Peaslee, André Brousseau, Mary Waring, Mac Richardson, David Anderson, Chris Higgins, Chuck Applebee, June Mooney, Chris Higgins, Aubrey Strause, Ryan Wadsworth, Tom Wiley, Brian Kavanah, Dan Bisson, Leanne Hanson, Darold Wooley, Mike Grove, Joan Kiszely.

Absent: Doug Howard, Dan Welch, Steve Lane, Alex Buechner, John Leslie.

Guest: Peter Alexander did a presentation on Federal Funding for Restoration & Conservation - NE Coastal Restoration Coalition & America's Great Waters.
Andrew Gilmore, Lobbyist

Jeff McNelly: Jeff McNelly reported on the SRF matching. He noted, at this time, this is not in the budget. He would like to meet with different committees to still promote this. He is confident that there will be a bond. He reported that the Dig Safe Program is up on Thursday.

Call to Order: President Paul Rodriguez called the meeting to order at 9:30 a.m.

Correspondence Folder: President Paul Rodriguez distributed the correspondence folder.

Approval of Minutes: Motion made by Jeff McBurnie, seconded by Mac Richardson, all approved the minutes of January 21, 2011 with minor revisions. It was requested to have written committee reports in a separate font from actual minutes from the meeting.

Treasurer's Report: Al Jellison reported on the December financial reports. Jeff McBurnie made a motion, seconded by Mac Richardson, all approved the December financial reports.

DEP Representative: Brian Kavanah reported on the following:

- President Paul Rodriguez thanked Brian Kavanah for inviting Commissioner Darryl Brown.
- Transition in Personnel: Brian Kavanah reported on the new Senior Management team at DEP. He reported there are no layoffs at this time, but they do have some vacancies. There is a hiring freeze at this time.
- Legislation that they are tracking as Bills: They are giving them just some factual information. He cannot tell us what their positions are at this time.
- Snow Dumps, Seafood Processors, Arsenic, CSO Licensing, Lower Androscoggin, are some of the Bills they are reviewing.
- Bonds – Governor took a position on no bonding. They will continue to provide us with factual figures.
- List of Regulatory Reforms that came out from the Governor's Office – first one is the snow dump and toxic rule.

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- Andrew Fisk: The Board suggested a letter be written to Andy Fisk thanking him on all his support to MWWCA. Andy is leaving DEP.

Andrew Gilmore wanted to know about LD 261 – CSO Licensing sponsors. The sponsor is unexpected to change his position. Brian Kavanah reported that this is a misconception about DEP role and authorization.

LR 1564 – Flushable Wipes – Definition of Flushable Wipes was misinterpreted at the Advisor’s Office. It is now being fixed. MWWCA intent is to make manufacturers follow their own rules for labeling accuracy.

NEWEA – Chuck Applebee distributed the following written **COMMITTEE REPORT:**

2011 Annual NEWEA Conference – Boston, Massachusetts

The NEWEA (New England Water Environment Association) held its Annual Meeting on January 23-26, 2011 at the Marriott Copley Place Hotel in Boston, Massachusetts, with a large number of Maine WasteWater professionals attending.

Annual training was offered on a variety of topics covering all aspects of the Wastewater field. To stay current with the changing times, sessions were added on Alternative Project Delivery and Microconstituents.

A tour was offered at the Deer Island Wastewater Facility, highlighting several renewable energy opportunities implemented at this facility over the past several years.

Two full floors of exhibits were on display, demonstrating the latest and newest available technology.

NEWEA Officers from Maine elected at the Annual Meeting:

Treasurer – Vivian Matkivich

President Elect – Dan Bisson

Past President – Howard Carter

WEF Delegate – Greg Cataldo

Director Maine – Chuck Applebee

Maine will continue to be well represented at the New England level and beyond.

Maine Award Winners:

NEWEA Operator Award – Dale Clark, Woodard & Curran (Madison, Maine)

Alfred E. Peloquin Award – Chuck Applebee, City of Gardiner

Asset Management Excellence Award – Michael Bolduc, City of Saco PW

WEF Life Membership – Terry Campbell, Weston & Sampson

NBP EMS Certification – Mac Richardson, Lewiston-Auburn WPCA

Stockholm JR Water Prize – Rebecca Ye, Bangor High School

EPA O&M Excellence Award – Brad Moore, Bangor Treatment Plant

Wastewater Operator Training Provider Award – Leeann Hanson, JETCC

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Remember the Washington, DC briefing coming up April 4th and 5th. This is an excellent time to come represent Maine and visit with our delegates. Check the web for details.

Brad Moore, Paul Rodriguez and Chuck Applebee have been making arrangements to attend the Washington briefing. A large number of Maine WasteWater Control Association members are planning to attend.

Upcoming NEWEA Events:	
March 21 & 22 - Planning at the Portland Regency March 30 - Executive Committee Meeting, Worcester, MA	
<u>2011 Congressional Briefing</u> Washington, DC April 5, 2011	<u>Joint NEWEA/NYWEA Spring Meeting & Exhibit</u> Bolton Landing, NY June 5-8, 2011 CALL FOR ABSTRACTS
<u>Asset Management/EPA Seminar</u> Boston, MA April 26, 2011	<u>Microconstituents/Laboratory Seminar</u> Lawrence, MA September 14, 2011 CALL FOR ABSTRACT
<u>Stormwater/CSO Seminar, Exhibit and Tour</u> Portsmouth, NH May 3-4, 2011	

Dan Bisson noted that NEWEA has a Utilities Ad-hoc Committee.

Old Business:

- Social Networking Media Overview & Update – Aubrey Strause reported on the following:

Aubrey Strause gave a short Twitter demo on how to use Twitter. Paul Rodriguez noted that this will be used for news and links to information regarding MWWCA, and this is an effective tool to quickly get information out. Motion made by Mac Richardson, seconded by André Brousseau, all approved that the committee would formulate a Twitter feed, and they will come back with policies and procedures.

- Possible Resource Directory for MWWCA & Media Kit – Joan Kiszely reported that she assists with the printing of a Resource Directory for the Maine Fire Chiefs’ Association. She presented their recent 2011 Resource Directory.

Joan Kiszely also reported that she just drafted a media kit for the MFCA, and was wondering if MWWCA would want a media kit. Ryan Wadsworth noted that he would like to see the Vendor list and other list that MWWCA has already updated.

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It was the consensus of the Board to table this discussion until the Strategic Planning session.

New Business – Committee Reports:

Government Affairs Committee: David Anderson submitted the following written **COMMITTEE REPORT:**

The MWWCA Govt. Affairs Committee held a meeting on February 11, 2011. The GAC went over a short list of recent LDs and LRs that may affect the MWWCA and /or MWUA membership.

SRF Articles: *Andrew Gilmore, with the help of Jeff McNelly, is writing articles to be distributed to various publications (e.g., Chamber of Commerce, MMA) regarding the need for support of the SRF and public infrastructure improvements. He will circulate drafts to the MWWCA/GAC.*

The Governor’s Address regarding the proposed budget, delivered on February 10: *The clear message was that the Governor will not support new bonds to fund federal match programs. His proposed budget does not include general fund money for either water or wastewater SRF matches. Andrew is hopeful that the Legislature will support the SRF, as needed. MWWCA and MWUA representatives will try to arrange a meeting with key legislators and the Governor’s office. Several members of the GAC agreed that it would be beneficial to include business and job proponents in that meeting, including the General Contractors of Maine.*

DEP’s draft Shellfish Report: *If MWWCA would make a comment on the draft, it would be its disappointment that the DNA testing to determine the source of e.coli in receiving waters was not done. That was a request of the MWWCA member communities who will support the program with permit fees. There is no money to support a Shellfish Program, and it is doubtful the report will be finalized and submitted to the legislature anytime soon. However, the GAC expects the Clam Digger’s Association to continue to raise the issue of clam bed closings due to sewer and/or stormwater discharges. Greg Cataldo and Chuck Applebee plan to discuss the draft report with Brian Kavanah.*

Flushable Products Bill (LR 1564): *MWWCA prepared a draft which requires that if a product is labeled as “Flushable,” it must meet the industry standard for flushability. However, the Revisor’s office rewrote the Bill requiring that the DEP write flushability rules. We are concerned that this will delay implementation. Drew will contact the Revisor’s office.*

LD 1 – Regulatory Reform: *This is a conceptual Bill regarding reform of the Maine DEP. No one has claimed responsibility for the list of ideas in it, but the Governor is holding public forums regarding how the Maine business community and economy is hampered or put at a disadvantage by current Maine environmental rules. Greg noted that he had not seen much support for relaxing or changing environmental rules at the public hearing that he attended. The proposal in LD 1 to prohibit municipalities from setting retroactive ordinances was discussed as a symptom of the current administration’s unfamiliarity with some issues. The courts have ruled at least 33 times*

on versions of this type of legislation and overturned it every time as unconstitutional.

MWWCA/GAC expects that there may be several Bills that come out of this initiative that could affect MWWCA members and member communities. Andrew Gilmore will offer temperate testimony in favor of the review of current State environmental policies.

Conceptual Arsenic Bill: *MWWCA is in favor of incorporating newer science into regulations, but unsure that a standard set on inorganic arsenic is practical without an approved testing method for the compound. A less stringent arsenic limit (perhaps 4.4 times less stringent) would benefit direct dischargers, including shellfish facility operators and POTWs that set limits on arsenic for indirect discharges (Rockland, PWD, etc.). The GAC needs to hear more from Bill Taylor on this subject before offering support.*

LD 84 – Sewer District Rate Collection Procedures: *There was no opposition to the Bill allowing sewer authorities to have the same power to impose liens as sewer districts. It was voted out of committee as “ought to pass.”*

LD 154 – Classification of the Lower Androscoggin: *At the public hearing, both the DEP and business interests opposed changing the lower Androscoggin River classification from Class C to Class B. This Bill may be a testing ground for the new administration vs. environmental groups. The MWWCA/GAC did not advocate a formal position.*

LD 156 – Vernal Pools and 159 – Stormwater Management: *Stormwater issues are of emerging issue interest to MWWCA and other clean water associations, but the MWWCA/GAC is not supporting a position on vernal pools or stormwater site planning at this time. Andrew was asked to talk to individual legislators regarding the future unintended consequences, including EPA actions, should these Bills be enacted.*

LD 222 – Appointment of Division Directors in DEP: *The LD would add 13 new directors at DEP who are appointed by the Governor, raising political appointees who hold their position “at the pleasure” of the Governor from 7 to 20. The Bill has been pulled, but the MWWCA/GAC will continue to monitor it to see it will be resurrected.*

LD 261 – An Act to Eliminate Combined Sewer Overflows in Maine Waters: *This Bill appears to make combined sewer over flows illegal. There is a public hearing on February 23. Members of the MWWCA/GAC need to contact DEP to find out the DEP's take on the Bill, but it is believed that MWWCA must oppose Bills that make illegal or unpermitted current or even future CSOs, such as may be needed for Jonesport to construct a new wastewater treatment system. Since this affects both public sewer and stormwater systems, MMA representatives need to be contacted regarding opposing this Bill, as well.*

LD 309 – “Right to Work”: *MWWCA membership is expected to be divided over this Bill to prohibit “Fair Share” and other non-voluntary labor union requirements for public employees. The MWWCA/GAC advises that MWWCA remain neutral but that the membership be notified about this Bill.*

LD 331 – Dig Safe Rules: *MWWCA/GAC recommends aligning with MWUA regarding this Resolve regarding recent changes to PUC Dig Safe rules that could require water and sewer utilities to wait up to four hours before commencing emergency repairs on water and sewer infrastructure.*

LD 336 – Public Pension Fund: *The GAC will monitor the progress on this Bill to restructure the State pension fund. Many MWWCA member treatment plant and collection systems employees are members of the Maine State Retirement System in PLDs. The Bills current language would only affect pensions for State employees and teachers.*

LD 359 – An Act to Authorize General Fund Bond Issue for Wastewater and Drinking Water Revolving Loan Funds:
This is the MWWCA and MWUA Bill, which is fully supported and will be touted at the Legislative Breakfast on February 17, 2011.

Laboratory: June Mooney – no report.

Membership: Chris Higgins – no report.

Pretreatment: Tom Wiley – no report.

Personnel Advancement Committee: Aubrey Strause reported the following

COMMITTEE REPORT:

- Has a full technical session list for the Spring Conference and the brochure will be going out next week.

Convention Committee: André Brousseau reported the following **COMMITTEE REPORT:**

- Spring Conference is in Portland.
- Ski Day is March 9.
- Fall Convention planning will start the first of May.

Public Relations Committee: Ryan Wadsworth reported on the following **COMMITTEE REPORT:**

- We are sponsoring Maine Water Conference. Ryan noted he will be on vacation and cannot attend and is looking for someone to attend the Maine Water Conference on March 16th.
- He reported that he needs to update the MWWCA booth with some new pictures.

Safety Committee: Al Jellison reported on the following **COMMITTEE REPORT:**

- Changing the laws on equipment usability.

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Communications Committee: Mac Richardson reported on the following **COMMITTEE REPORT:**

- Newsletter will be going out very soon.
- He thinks we should be putting the newsletter more in front of the New England State Associations.

Collection Systems: Doug Howard absent. No report.

Residuals: John Leslie absent.

Operations Challenge: Alex Buechner absent.

Industrial Representative: Dan Welch absent.

Awards Committee: Mary Waring reported on the following **COMMITTEE REPORT.**

- Spring Conference: She will contact Pretreatment, Industrial, and Residuals, and Collections Systems to see if they will have any awards.

JETCC REP.: Leeann Hanson reported on the following **COMMITTEE REPORT:**

- Spring calendar is posted on-line.
- North Country Convention is posted on the web site. Still working on the agenda. E.J. Prescott that instead of doing their Spring Conference, they will support the North Country Convention.
- Skills: Sharpening their skills of sponsorship.
- Dates of North Country Conference are April 13th & 14th.
- NEIWPC: “pharmaceuticals” conference: 2011 Northeast Water Science Forum: Science to Inform Pharmaceutical and Personal Care Product Management.
- Management School is underway. Thanked MWWCA for the sponsorship. Looking at doing this again next fall. Board meeting or conference call coming up to discuss the financial aspect of this school.
- JETCC Funding has been reduced.
- May 11th is the next exam.

Paul Rodriguez wanted to know if anyone else is attending the North Country Convention, and requested they let him know.

WEB Developer: Steve Lane absent.

MMA Rep: Joan Kiszely – no report.

1st Vice President Report: Jeff McBurnie – no report.

2nd Vice President Report: Travis Peaslee – no report.

Immediate Past President Report: André Brousseau reported on the following:

- André Brousseau will talk with Robert Alling about his lifetime membership. Tabled.

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Other New Business:

- Hazard Mitigation – Chris Higgins reported that there is FEMA grant money to take a look at Emergency Response plans.
- FLUSH Initiative & List – Tabled.

Adjournment: Motion made by Mac Richardson, seconded by André Brousseau, all approved to adjourn the meeting at 12:50 p.m.