

# Maine Water News

*A Publication of the Maine Water Utilities Association*

May 2016, Number 187

## **The Good, The Bad, and The Wait and See**

*Frank Kearney, 2016 President*

Greetings from the thawing north. Spring is springing everywhere and it sure feels great. I was in southern Maine last week and I do believe you southern dwellers are not much ahead of us in the warmup. And as I write this, it is snowing lightly in Portland, according to Todd Gutner, and sunny with 50 degrees in Presque Isle. I hafta rub it in, it's rare that I can.

Unless you have been hiding in an encampment near North Pond for the last 27 years, you know that Jeff McNelly announced his resignation as our Executive Director in March. Jeff worked for Maine Water Utilities Association until April 8<sup>th</sup>, when he departed for a wonderful challenge. He became the Director of the Water and Telephone Division at the Maine Public Utilities Commission, a very interesting and challenging place for which he is well suited.

Jeff has been our chief exec for over 20 years, and I could tell that leaving MWUA was a heart-wrenching decision for Jeff and Laura. Jeff will be mentioned for a long time as a hard worker and a great leader in an industry that doesn't necessarily lend itself to being led easily.

But he sure pulled it off in style. Let me name the attributes I can mention, some I may intentionally leave out: Decades of fun meetings, millions of training hours conducted, he's been a hands-on leader of everything, arranging for good food, single-handed legislative lobbyist, tireless industry advocate, arranging for more good food, an extraordinary organizer, friend to all road-killed animals, pretty good cook (mussel chowder comes to mind), feared by most species of fish, well known, successful, and respected throughout his profession. Did I mention the good food he always arranges? I could go on, but it would take the rest of this issue.

So Jeff, be assured, you left us with many things, but the most important thing, in my mind, was the high standard. We will strive to do bigger and better, we will depend on your advice going forward, and we will forever be better because you were here.

I also need to let it be known that I felt sure George Peters was running the organization at times. Hey,

that wouldn't be a bad thing, but George, did you even apply for Jeff's job yet? And yes, we'll give you time to hunt and fish. George always said, "I didn't know the state had hunting seasons until I moved away from Eastport". George, you should be Governor.

Speaking of Augusta, our 127<sup>th</sup> has finished its work, maybe. It remains to be seen just how things will shake down with the veto pen, but there isn't anything notable which affected us on the State level this year. The proposals that would have mattered all got tossed, I think. That's always a good thing, as laws often restrict, and rarely liberate. Well, there was that concealed carry thing.

I'm sure we'll be hearing more about Flint, Michigan. Many of you were predicting for months that there would be an overreaction to the lead problem in Flint. That we would all be painted as bad people by our customers no matter where we are. That scrutiny would come to the vast majority of public water systems who are properly treating for corrosion. That sampling requirements would change and become more cumbersome. You were all correct.

We all strive to deliver safe water to customers. We all would jump up on the table if somebody in our town did what apparently was done in Flint. It's too bad we are all being punished for their incompetence. They have apparently greatly endangered lives and wellbeing, and that is unacceptable. As I write this, some of the officials in Flint have been charged with various crimes. If the implications prove true, they should be.

I urge you to remain vigilant and involved in the EPA Lead and Copper Rule change mechanism. I'll do my part to be sure MWUA speaks on your behalf as changes are proposed. I'll urge the regional organizations to be involved and looking out for the vast majority of public water systems who have effectively controlled corrosion.

And finally, I want everyone to know that the MWUA Board of Directors will have met by the time you read this, to begin the process of finding our new Executive Director. We intend to involve as many industry and organizational leaders as is possible during the hiring process.

Get ready for a new and exciting era for MWUA. Change is always good, even as we proudly remember the past.....

Maine Water News is published bi-monthly by  
Maine Water Utilities Association  
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Material of interest to the water supply profession  
will be considered for publication. Copy deadline is  
the 15<sup>th</sup> day of month preceding publication.

#### **BOARD OF DIRECTORS**

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*Greater Augusta Utility District*

## **The April Meeting in Ellsworth**

Our April 2016 Bi-Monthly Meeting was hosted by The Ellsworth Water Department in Trenton at Big Cat's Event Center. The meeting started with an introduction to Ellsworth by David Cole, Ellsworth City Manager, followed by a presentation by John Wedin, Branch Lake Steward. His presentation described the outer reaches of the watershed and brought us through a journey ending at the water treatment facility. In addition to his responsibilities as an operator at the Ellsworth Water Treatment Plant, John focuses much of his time on public use and erosion control within the watershed as well as boat inspections at the recently constructed Branch Lake boat launch.

A business meeting followed with a legislative update by Dan Wells, Superintendent, Winthrop Utilities District, followed by a regulatory update by Carleton Gardiner, Maine Drinking Water Program Compliance Enforcement Team Leader. Kathy Moriarty of Bangor Water District was given the honor of presenting Hampden Water District with the 2015 Excellence in Operations Award for their outstanding efforts this past year. Jamie Holyoke, Michelle Gushue, and Ryan Tweedie accepted the award for the district.

The Technical Program had a focus of Lead and Copper with Carleton Gardiner presenting proposed changes in the Lead and Copper Rule. Flint, Michigan was a topic of discussion as well as the suggested sampling procedural changes the EPA has released. The second presentation was focused on the trials and tribulations of modifying corrosion control processes by the Bangor Water District. Dina Page showed how the BWD used a proactive approach towards public education and outreach while working toward lead compliance. Dina discussed the process in identifying the problematic areas in the distributions system and the resolutions and techniques used to bring the BWD back into lead compliance.

The meeting was followed by a delicious buffet and a sunny ride home.

## **Plan to Attend the June Meeting at Sugarloaf**

This year's June meeting will be held at the beautiful Sugarloaf Resort in Carrabassett Valley. Rooms are being offered at discounted group rates for MWUA meeting attendees. Please click here for the reservation form for Sugarloaf Resort rooms or go to the Events tab on the MWUA website, click on June Bi-Monthly Meeting and download the form.

Prior to the meeting on the 9th, we will be hosting an informal cook-out on Wednesday evening to thank Jeff McNelly for his many years of dedicated service to the organization and the drinking water community. The cook-out will be at the Sugarloaf Outdoor Center (Cross Country Ski Center), 3001 Outdoor Center Court, Carrabassett Valley. Festivities will begin around 5pm and cost is \$15 per person at the door. Please join us in wishing Jeff success in his new adventures and reminisce on his impact to the industry. Anecdotal stories, particularly of the "early" years, are strongly encouraged. Check the box on the June Bi-Monthly registration form to RSVP.

What differentiates commercial spring water from municipal supply water? The June technical seminar will delve into the basics of natural springs in Maine; including hydrogeology, flow characteristics, and water chemistry. Industry standards for labeling of bottled water and spring water will also be discussed. Mark Dubois, Natural Resource Manager for Poland Springs, will talk about sustainable management of water resources at nine spring water sites in Maine.

Following the Thursday morning meeting, tee times are

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available to play at the fabulous Sugarloaf Golf Course. Greens fee with cart are \$59 per person. Please mark the golf check box on the meeting registration form if you plan on golfing or contact Mike Pelkey with EJP at 632-0367 to reserve your tee time. Bring your bug spray!

We look forward to seeing you at what should be an interesting and informative June meeting.

### Maine Legislature Wraps it Up With Veto Day

There was a flurry of activity in the final days of the session that required more participation on the part of the association than had been the case previously. The outcome can best be described as no harm, no foul ...hence we escaped unscathed.

As was noted in the March Issue of Maine Water News, LD 1586 An Act To Implement Recommendations of the Right To Know Advisory Committee Concerning Remote Participation in Public Proceedings received a 7 – 4 ought Not to Pass vote from the Judiciary Committee.

The Association testified in opposition to LD 1586, stating that the provisions in the bill would greatly complicate current practices many districts are utilizing to govern their organizations. Specific examples were cited. MWUA emphasized that the bill presents a solution where there has been no problem and that the bill does not address any real issues, yet has the potential to create many.

Maine Water Environment Association, Southern Maine Regional Water Council, Boothbay Region Water District, Five Rivers Regional Water Council, the Maine

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Municipal Association and others testified in opposition.

Before their vote, that Committee did consider an amendment that would allow public bodies to utilize remote participation as long as the body developed a policy. There was considerable discussion relative to that proposal; however the members were not able to agree upon an acceptable compromise.

Following the committee vote, Senator Johnson tried to breathe life into the amendment and even contacted the Governor's staff as part of his efforts to advance the cause. Ultimately the bill died.

The association closely followed LD 1325 An Act to Ensure a Public Process When Discontinuing or Abandoning a Public Road. MWUA's motivation was the need to maintain a public utility easement whenever a road or way is discontinued.

The original bill, which sought to significantly change the laws governing discontinued and abandoned roads, laid out a new 5-step discontinuance process, which would be the only means for a municipality to actively terminate its interests in a public way. LD 1325 provided that a public utility easement would be in place whenever a road is discontinued, regardless of whether a public easement is retained.

The amended bill addresses a number of issues; however it still provides that a public utility easement will be in place whenever a road is discontinued, regardless of whether a public easement is retained. The bill was vetoed by the Governor; that veto was overridden and LD 1325 was enacted as Public Law 464.

Late in the session a related bill, LD 1637 An Act to Assist Maine Citizens Residing Along Public Easements, was submitted by the Governor. Among other things, LD 1637 addressed a possible scenario whereby a municipality could discontinue a town way and specifically discontinue the public easement on that town way. At the time of the public hearing, LD 1325 (and the protections it afforded – see above) had not been enacted. The Association testified against this bill, stating that LD 1637, if enacted as written, could provide an incentive for municipalities to relinquish easements that are necessary to access and maintain public utility facilities, when discontinuing public ways. It appeared that a discontinuance order under LD 1637, in which a public easement is not retained, could negate the protection

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provided in Title 35 – A. this section of statute ensures that easements for public utility facilities are retained when public ways may be discontinued in whole or in part.

The Majority Ought Not to Pass Report was accepted in the House; ultimately the bill died.

LD 1691 An Act to Improve the Maine Tree Growth Tax Law Program was another bill that surfaced late in the session. There were a number of aspects to this bill. Two of the most critical to water suppliers were provisions that the minimum number of acres eligible for enrollment in the Tree Growth program would increase



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from 10 to 25 acres and no portion of any enrolled parcel could be located within 10 miles of the Atlantic Ocean.

There were provisions whereby landowners could keep their property in Tree Growth in a grandfathered status, could move their property from the Tree Growth program to the Open Space tax program, as is allowed in current law, or withdraw their property from "current use" taxation, paying the minimum 5-year back taxes penalty provided in Maine's Constitution rather than the stiffer statutory Tree Growth penalty.

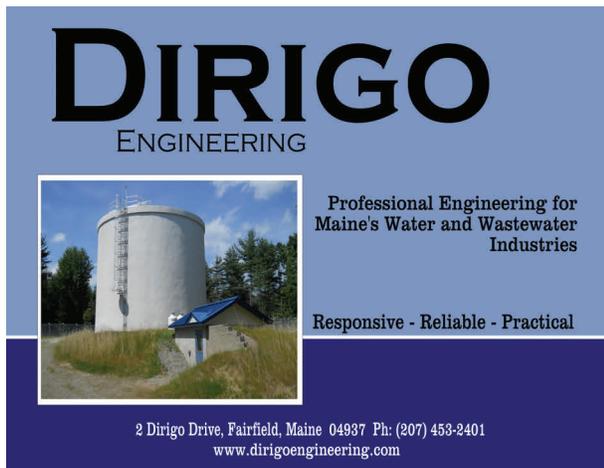
MWUA testified against the bill, stating that we were concerned that private landowners in source of supply watersheds, with parcels of between 10 and 25 acres, would withdraw from TGTL. That could open the door to liquidation harvesting, development or both. The resultant adverse impact on water quality could be cumulative and everlasting. The committee reported the bill out with an Ought Not to Pass 11 – 0 vote. LD 1691 died.

### System Highlights From Around The State

It's easy in this day and age to get completely consumed in our own projects and activities, so we thought it would be interesting to hear from a few of the MWUA Directors on the goings-on in their respective districts:

**Frank Kearney, Presque Isle Utilities District:** The news from Presque Isle Utilities is getting interesting. At the same time construction season approaches with 2 sizeable projects in the queue, the Trustees have decided to move the District office out of city hall where it's been located for 80 years, and purchase a relatively new building on Main Street. Local anxiety is developing over the following: The news of our location change, the fact that we will increase debt to buy the building, the fact that we won't have to pay tax on the new building. We also need MePUC approval. Needless to say, things are coming together to make for an interesting public hearing in May. Wish us luck, and if all goes well you'll find us at 541 Main Street about the middle of June.

We had a slow winter for main breaks, as everybody else did. Our 2 projects are to add ozone and enhanced UV capabilities to our 2 mgd water plant. Plus we will add a redundant pipe under the Aroostook River from our sole source to the distribution system.

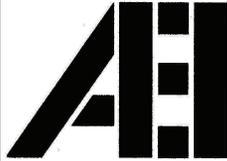


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**Mike Broadbent, Auburn Water and Sewer District:** The favorable weather this season has helped us kickoff our construction season early, our sewer crew is busy working with Ted Berry Company to re-line roughly 2,200' of 12" sewer. Our water crews are busy with main replacement projects; our goal this year is to replace around 3,000' of old un-lined cast iron main. We are currently in the middle of our spring hydrant flushing program which is a complete system flush of all mains. For the first time in nearly 22 years the AWSD has put all of the pipe materials we purchase out to bid, we're in the process of reviewing the bids. Our lab folks are busy collecting lead and copper samples throughout the distribution system and we're working with a consultant to address our lead exceedance.

**Jim Wallace, Portland Water District:** We are busy activating seasonal mains and installing over 1,250 seasonal meters for our May 1st deadline. As seasonal activation wraps up, two crews will move to the night shift and begin our annual 6-month flushing program, with the goal of clearing 280 miles of main, or 1/3 of our system's mains that are 16" in diameter or smaller. The field crews are impressed with their new non-excavation valve operating nut replacement system. They recently replaced five operating nuts in less time, less disruption to traffic, and lower restoration expenses. They believe the tool had already paid for itself.

**Rick Anair, Greater Augusta Utility District:** We are currently preparing for summer (also known as construction season). Our meter shop has installed 70

seasonal water meters for our summer residents along with our recent shipment of 426 meters that need to be changed out. GAU's road crew is busy working with The City of Augusta and MDOT on paving projects adjusting a combined 425 gate valve boxes, sewer & storm manholes and catch basins. Additional structures will be adjusted via private contractors as part of longer City paving projects. The road crew also has storm, sewer and water maintenance/repairs that they are continually working on. The engineering department is preparing to oversee the 5 projects that were designed in-house early this year along with overseeing several private developments. GAU's GIS department is processing the never ending changes to the distribution / collection systems into our database. The Pump Station crew is performing routine maintenance and emergency repairs to our sewer and water stations and flagging the stations that need attention/upgrades.

**Scott Abbotoni, Great Salt Bay Sanitary District:** With the winter season being fairly mild The District was able to turn on seasonal mains earlier than normal this year. I am sure that the seasonal customers are happy as they always seem to call at the first sign of warm weather or green grass wondering if the main is on yet.

The upgrade at the sewer plant is coming to a close. The project included electrical upgrades to comply with arc flash, expanding the office and replacing four blowers that were installed when the sewer plant was built in 1986.

The CDGB grant for Elm Street that the District and Town of Damariscotta submitted was not funded for the 2nd straight year. Some of the sidewalk is blocked because it's a hazard. The water main in that area is from 1896 and needs upgrading and replacement. The District and town are moving forward with a reduced scope of work and hope to start in late spring.

This is an exciting time for the Five Rivers Regional Water Council which includes Brunswick Topsham, Bath, Boothbay, Wiscasset, Bowdoinham, Richmond and Great Salt Bay Districts. The Regional Water Assessment Plan that the members and engineers have worked on for a year is completed. We are very excited about this report that, among other things, looks 50-100 years to the future and projects growth and water needs in the area. This report will be presented to the trustees of all the Districts at a special get together on the 17<sup>th</sup> of May.

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SUGARLOAF

HOST: Jeff Lawrence, General Manager, Sugarloaf Water Association

LOCATION: Sugarloaf Mountain Hotel & Conference Center, 5092 Access Road, Carrabassett Valley, ME 04947

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**PROGRAM**

8:30 AM - 9:00 AM Registration & Continental Breakfast

9:00 AM - 9:10 AM Introduction & Welcome to Sugarloaf  
*Rich "Crusher" Wilkinson, Sugarloaf VP of Operations*

9:10 AM - 9:30 AM Overview of Sugarloaf Water Association  
*Jeff Lawrence, General Manager, Sugarloaf Water Assoc.*

9:30 AM - 10:00 AM Business Meeting  
 Regulatory Update, *Maine Drinking Water Program Representative*  
 Legislative Update, *Legislative Committee Representative*

10:00AM - 10:15 AM Break

**Casual Attire  
Requested**

**TECHNICAL PROGRAM**

10:15AM - 12:00 PM What Defines a Commercial Spring in Maine?  
*Mark Dubois, Natural Resource Manager, Poland Spring, Poland, Maine*

12:00 PM - 12:15 PM Q & A

12:30 PM Lunch

Frank Kearney  
*President*

Darrin Lary, Josh Cobb  
*Program Coordinators*

**REGISTRATION FOR JUNE 9, 2016 BI-MONTHLY MEETING**

*Please return registrations by: June 2, 2016*  
2.0 DWP Training Contact Hours

Name(s): \_\_\_\_\_

Affiliation \_\_\_\_\_

Check here if you will be attending the cookout Wednesday evening in Jeff McNelly's honor at the Sugarloaf Outdoor Center 5:00 pm to ?? Cost is \$15/person (pay at the door).

Check here if you are golfing on Thursday following the meeting, and indicate the # of golfers: \_\_\_\_\_.  
Green fees are \$59/person with cart (pay at the course).

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<i>Water Systems serving less than 4,000 Customers</i>	____ @ \$25	\$30	\$35	\$40

Total enclosed: \_\_\_\_\_

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