

Long Creek Watershed Management District Governing Board

Minutes – August 11, 2011 Meeting

Location: MTA Admin Headquarters at 2360 Congress Street, Portland, Maine - Conference Room E

1. Call to order – 8:37 a.m.

2. Roll call

Mary Costigan, Curtis Bohlen, Dan Bacon (absent), David Russell, John Branscom, Craig Gorris (absent), Brian Goldberg, Jim Hughes, Gerard Jalbert, John O'Hara (absent), Ed Palmer (late), Adam Pitcher (absent), Tom Raymond, Stephen Tibbetts, David Thomes

3. Minutes (*Attachment A*)

Mr. Russell made the motion to accept the minutes as presented. Mr. Hughes seconded the motion. The motion was approved unanimously.

4. Treasurer's report (*Attachment B*)

5. Executive Director's report

- Engineering proposals are due 8/31/11.
- Audit will be getting underway at the end of August. Report due to board no later than October 31, 2011. Cost will be \$8,175 including preparation of 990 tax forms.
- Chain link fence around the stormtreats (proprietary devices located in the corner behind Wendy's and McDonald's) at Mall Plaza was damaged by Goodall Landscaping. We have been requesting that they repair the fence since spring and they have yet to follow through. Wendy's hired Goodall Landscaping to do their snow removal. A letter will be sent to Wendy's requesting immediate action.
- There has been no movement on the Maintenance Agreement with Scrub-a-Dub, Key Bank and Wendy's. Scrub-a-Dub's project is slated for this fall, so it is anticipated that this will move forward soon.

6. Colonel Westbrook

- a. **Easements.** Accept easements from Colonel Westbrook Associates (*Attachment C*) and Seven Thomas Drive LLC (*Attachment D*) and authorize LCWMD Chair/President to execute documents necessary thereto.
 - i) Ms. Costigan requested that the font be changed on Exhibit A.
 - ii) Mr. Hughes made the motion to accept the easements with the recommended amendment and execute the documents necessary thereto. Mr. Jalbert seconded the motion. The motion was approved unanimously.
- b. **Contract Services.** To award a contract for Long Creek Stream Corridor Enhancements, Thomas Drive, Westbrook, Maine for the LCWMD and to authorize the LCWMD Chair/President to execute documents necessary thereto. Recommendation for contract award will be provided at the board meeting. Bid opening is Monday, August 8, 2011 at 10:00 a.m.
 - i) Mr. Raymond made the motion to award the contract to Seabreeze Property Services, Inc. and to authorize execution of the documents necessary thereto. Mr. Russell seconded the motion. The motion was approved unanimously.

c. **Competitive Bid Waiver Request.** Per the existing LCWMD Procurement Policy, the Board must approve any waivers of the requirement for competitive bidding/proposals for all purchases of goods and services in excess of \$10,000.00. It is the recommendation of the Executive Director that the Board waive the competitive bid requirements for the in-stream work on Thomas Drive and authorize the LCWMD Chair/President to execute documents necessary thereto. As required by Section C 5 of the Procurement Policy Rules, a “Requisition for Contract Authorization” completed by the Executive Director is attached (*Attachment E*).

i) Mr. Bohlen recommended that a three year performance bond be added to the contract.

ii) Mr. Bohlen made the motion to waive the competitive bid requirements with the amendment of a three year performance bond and to authorize execution of the documents necessary thereto. Mr. Russell seconded the motion. The motion was approved unanimously.

7. **Communication with Participating Landowners.** Discuss desired reporting and outreach to landowners regarding progress on Plan implementation.

- Board discussed communication with Participating Landowners.
- It was decided that all board meeting notifications should go to all landowners with a link to the website; the website should be updated with more information about progress; and an annual meeting will be held every January with a report out on progress of the Plan implementation including updates on monitoring, structural retrofits and good housekeeping/pollution prevention efforts.

8. **Public Comments.** None.

9. **Adjourn.**

Mr. Hughes made the motion to adjourn. Mr. Jalbert seconded the motion. Meeting adjourned at 9:43 a.m.