



## Long Creek Watershed Management District Board of Directors

Minutes from May 10, 2017 Meeting

Location: Maine Turnpike Authority, Administration & Public Safety Building, 2360 Congress Street,  
Portland, Maine

1. **Call to Order:** Mr. Dillon called the meeting to order at 9:05a.m.
2. **Roll Call:**
  - a. Attendance: Angela Blanchette, Curtis Bohlen (Mr. Bohlen arrived late but was present for all votes), Arthur Colvin, Fred Dillon, Brian Goldberg, Will Haskell, Susan Henderson, Peter Newkirk, Doug Roncarati, Michael Vail
  - b. Absent: John Branscom, Craig Gorris, Ed Palmer, Adam Pitcher
  - c. Staff/Guests: Peter Carney (LCWMD Executive Director), Aubrey Strause (Cumberland County Soil & Water Conservation District), Jim Katsiaficas (Perkins-Thompson)
3. **Review of Board Meeting Minutes:** The Board reviewed the minutes from the March 29, 2017 meeting. Mr. Vail made a motion to accept the minutes from the March 29, 2017 meeting, which was seconded by Mr. Dillon. The motion carried unanimously.
4. **Board Chair's Report**
  - a. Mr. Dillon advised the Board that he and Mr. Carney will be attending, and presenting at, the Maine Rural Water Association annual conference in Bangor in December.
  - b. Mr. Dillon advised the Board that LCWMD, in association with the City of South Portland, the University of Southern Maine, and Hydro International, are coordinating a trash cleanup along the South Branch of Long Creek on May 12, 2017.
5. **Executive Director's Report:**
  - a. Mr. Carney provided an update on the sole source pavement sweeping contract that the Board authorized at the March 29, 2017 meeting.
  - b. Mr. Carney provided background on three different types of pavement sweepers, mechanical broom, vacuum, and regenerative air, noting that there are a limited number of vacuum and regenerative air sweepers in the Greater Portland Area.
  - c. Mr. Carney advised that he and Ms. Strause conducted research on the various types of sweepers which included speaking with municipal representatives, contractors, and a pavement equipment sweeping dealer to discuss the types of sweepers best suited to the various types of sweeping conducted by LCWMD.
  - d. Based on the research conducted, Mr. Carney worked with Maine DEP to specify that the initial "large particle collection" spring sweeping event was suitable for either a mechanical broom, vacuum, or regenerative air sweeper and that a vacuum or regenerative air sweeper should be used for subsequent sweeping events due to their suitability for collecting fine particles.
  - e. Mr. Carney advised that the sole source sweeping contract for the "large particle collection" spring sweeping was awarded to Maritime Farms & Land Management, LLC, LCWMD's present landscaping services contractor. The contract price for this single sweeping event was \$38,220.00.

- f. Mr. Carney advised the Board that he is conducting a review of the various types of insurance coverage that LCWMD has and that he will be working with LCWMD's insurance agent to revise LCWMD policies as necessary.
- g. Section 8 of the Interlocal Agreement under which LCWMD was formed, requires LCWMD to carry General Liability, Directors and Officer Liability, and Automobile Liability coverage.
- h. LCWMD recently received a notice that the current Directors and Officers Liability policy will not be renewed effective August 9, 2017 because of the termination of an agreement between the agency and the underwriter. Mr. Carney will work with LCWMD's insurance agent on a new policy.
- i. Mr. Carney provided an update on the status of a contract with Field Geology Services, LLC with respect to revising the design, and budget for, the proposed Main Stem restoration project.
- j. Mr. Carney advised that the Field Geology Services, LLC's present coverage does not match LCWMD's requirements. The Board discussed the matter and concluded that due to the limited nature of the scope of work for this contract that the insurance requirements for General Liability insurance and Automobile Liability insurance could be lowered from \$2,000,000 per occurrence and \$2,000,000 combined single limit, respectively, to \$1,000,000 per occurrence and \$1,000,000 combined single limit, respectively.
- k. Mr. Vail moved to authorize the Executive Director to enter into a contract with Field Geology Services, LLC with General Liability and Automobile Liability insurance limits of \$1,000,000 per occurrence and \$1,000,000 combined single limit, respectively. Mr. Haskell seconded the motion. The motion carried unanimously.
- l. Mr. Carney advised that he continues to revise the Long Creek Monitoring Plan and associated Quality Assurance Project Plan, most recently revising the documents to reflect the use of a new hand-held monitor which is needed to replace LCWMD's hand-held monitor that recently failed. Mr. Carney advised that he was also speaking with Maine DEP to discuss reducing the parameters collected with the hand-held monitor because some parameters collected in the past have not proven useful.
- m. Mr. Carney advised that LCWMD's revised Microsoft Office 365 site has been established and that Board members will soon receive user names and passwords for the new site.

#### **6. Treasurer's Report:**

- a. A copy of the March Financial Report was included in the Board packet for today's meeting.
- b. Ms. Strause provided an update on accounts payable advising that several past due accounts have been paid.

#### **7. Nomination and Election of Officers:**

- a. Pursuant to section 4(B)(5) of the Interlocal Agreement establishing LCWMD, the Board is required, at an annual meeting to be held each year, to elect from its membership a President, Vice President, Secretary, and a Treasurer.
- b. Pursuant to Article III, section 1, of LCWMD's Bylaws, the annual meeting is conducted in May of each year.
- c. This meeting being LCWMD's annual meeting, the Board nominated the following Board members as officers for the forthcoming year: Fred Dillon was nominated for the office of President; Peter Newkirk was nominated for the office of Vice President; Brian Goldberg, was nominated for the office of Secretary; and Curtis Bohlen was nominated for the office of Treasurer.

- d. Ms. Henderson moved to approve the slate of officers as nominated, which Mr. Haskell seconded. The motion carried unanimously.

## 8. Contracts:

- a. Mr. Carney provided a general background review relevant to the several contracts proposed for award at today's meeting which include Catch Basin and Drain Manhole Inspection and Cleaning Services, Pavement Sweeping Services, Stormwater BMP Inspection and Maintenance Services, and a change order to the Landscaping Contractor Services Agreement.
- b. The term of each of the Catch Basin and Drain Manhole Inspection and Cleaning Services, Pavement Sweeping Services, and Stormwater BMP Inspection and Maintenance Services agreements is from the effective date through June 20, 2020.
- c. Using Attachment C to today's Board packet (page 017) for illustrative purposes of comparing proposals received for Catch Basin and Drain Manhole Inspection and Cleaning Services, Pavement Sweeping Services, and Stormwater BMP Inspection and Maintenance Services, Mr. Carney made the following recommendations to the Board. Printed copies of a highlighted version of Attachment C were handed out at the meeting (**Attached as Exhibit A to these minutes**).
- d. Mr. Carney advised that four bids were received for Catch Basin and Drain Manhole Inspection and Cleaning Services ranging from a unit price of \$65.00 per catch basin to \$127.50 per catch basin.
- e. Based on price and a review of the sufficiency of the proposals, Mr. Carney recommended that the Catch Basin and Drain Manhole Inspection and Cleaning Services contract be awarded to Clean Venture, Inc. at a unit price of \$75.00 per catch basin.
- f. Mr. Carney recommended that 400 catch basins be assigned for catch basin cleaning in 2017 and that Scott Reynolds of CCSWCD was preparing a list of the "top 400" catch basins that should be cleaned.
- g. Mr. Carney advised that Maritime Farms & Land Management, LLC submitted the sole bid in response to the Pavement Sweeping Services Request for Proposals.
- h. Maritime Farms & Land Management, LLC's proposal listed as specific equipment that will be used to perform the work a Tymco 600 regenerative air sweeper, which satisfies the equipment requirements in the Request for Proposals.
- i. Mr. Carney noted that Maritime Farms & Land Management, LLC's proposal price is approximately \$12,000 less annually than LCWMD's prior long-term pavement sweeping contract.
- j. Based on price and a review of the sufficiency of the proposal, Mr. Carney recommended that the Pavement Sweeping Services contract be awarded to Maritime Farms & Land Management, LLC.
- k. Mr. Carney advised that two proposals were received in response to the Stormwater BMP Inspection and Maintenance Services Request for Proposals, one from Maritime Farms & Land Management, LLC and one from Sterling Stormwater Maintenance Services, LLC.
- l. Based on price and a review of the sufficiency of the proposals, Mr. Carney recommended a partial award of the Stormwater BMP Inspection and Maintenance Services identified in the Request for Proposals to Maritime Farms & Land Management, LLC and a partial award of the identified services to Sterling Stormwater Maintenance Services, LLC as identified in Exhibit A.
- m. Discussed next was a proposed change order to the present Landscaping Contractor Services Agreement with Maritime Farms & Land Management, LLC.

- n. The original contract commenced on June 25, 2015 and expires on December 21, 2018, with the services at issue in the change order being relevant to the landscaping scope of services for the 2017 and 2018 calendar years.
- o. The value of services for the 2017 and 2018 calendar years under the scope of the present agreement are \$56,647.36 in 2017 and \$56,865.52 in 2018.
- p. Mr. Carney referred the Board members to Attachment D on page 018 of today's Board packet for a summary of the requested changes and their values, which reflects a net increase in the value of the calendar year 2017 services in the amount of \$21,988.20 and a net increase in the value of the calendar year 2018 services in the amount of \$22,244.02.
- q. Mr. Carney then reviewed with the Board several spreadsheets that detail the work for which the increases were requested which included both additions and deletions to the scope of work defined in the original contract. The additions primarily related to specific BMPs that were not included in the original contract, but for which services are the same, or similar to, those being provided for other BMPs. Deletions primarily related to BMPs that were either not constructed or that were identified as not being LCWMD-owned-or-operated BMPs.
- r. Mr. Carney advised the Board that a change in the insurance requirements was also being proposed to increase the per occurrence amount of Commercial General Liability Insurance from an amount of not less than One Million Dollars (\$1,000,000) per occurrence to an amount of not less than Two Million Dollars (\$2,000,000) per occurrence and to increase the combined single limit amount of Automobile Liability Insurance from an amount of not less than One Million Dollars (\$1,000,000) combined single limit to an amount of not less than Two Million Dollars (\$2,000,000) combined single limit. In consideration of this increase on the insurance requirements, the contractor would be compensated \$1,000 in calendar year 2017 and \$1,000 in calendar year 2018.
- s. A revised version of Attachment D of today's Board packet, the summary of the requested changes and their values, was reviewed at the meeting (**Attached as Exhibit B to these minutes**) which reflected a net increase in the value of the calendar year 2017 services in the amount of \$23,256.20 and a net increase in the value of the calendar year 2018 services in the amount of \$23,530.84, including the costs for the increased insurance requirements.
- t. Mr. Carney requested that if the Board authorizes the Maritime Farms & Land Management, LLC change order it do so with an authorization to increase the per calendar year increases by up to an additional 5% to reflect additional changes that may be identified.
- u. Mr. Colvin moved to authorize the Executive Director to enter into contracts for Catch Basin and Drain Manhole Inspection and Cleaning Services, Pavement Sweeping Services, and Stormwater BMP Inspection and Maintenance Services as recommended at today's meeting, and to authorize the Executive Director to enter into the Landscaping Contractor Services Agreement change order as reviewed at today's meeting with an authorization to increase the per calendar year increases by up to an additional 5%. The motion was seconded by Mr. Haskell. The motion carried unanimously.

**9. Water Quality Monitoring Database Migration:** In the interest of time, a discussion of the water Quality Monitoring Database migration was tabled.

**10. Standard Operating Procedures.**

- a. Mr. Carney requested that the Board review Attachment F (pages 020-034) of today's Board packet with is a draft of the *Standard Operating Procedure: Implementation of the Inspection and Maintenance Program Under the Long Creek Watershed Management Plan*.

- b. At the March 29, 2017 Board meeting, the Board authorized the Executive Director to submit the draft of the *Standard Operating Procedure: Implementation of the Inspection and Maintenance Program Under the Long Creek Watershed Management Plan* reviewed at that meeting to Maine DEP for approval pursuant to Condition 3 of the Long Creek General Permit.
- c. The draft reviewed at the March 29, 2017 Board meeting was submitted to Maine DEP for review.
- d. The revisions reflected in today's version of the document reflect requests for revisions by Maine DEP, requests by Scott Reynolds of CCSWCD who will be the primary user of the document, as well as additional modifications made by the Executive Director.
- e. A summary of the revisions includes: removing "drain pipe inspection and maintenance" as this work, if conducted by LCWMD, would be done in response to specific issues rather than as a regular maintenance item; clarifies that catch basin are "cleaned" as opposed to "maintained"; updates the sweeping program and includes equipment specifications; reflects that LCWMD commits to cleaning 200 to 400 catch basins annually; and provides specific time periods in the corrective actions section.
- f. Mr. Newkirk requested two revisions to the draft as presented, one being removing the reference to "soil" as a pollutant, and the other being to define the term "third-party inspector" in the document as opposed to referencing the definition in Participating Landowner Agreements.
- g. Mr. Vail moved to authorize the Executive Director to submit the revised inspection and maintenance program standard operating procedure to Maine DEP for approval pursuant to Condition 3 of the Long Creek General Permit, W-9052-5Y-B-N, with the effective date of the standard operating procedure being the Maine DEP approval date, with revisions as requested by Mr. Newkirk. Ms. Henderson seconded the motion. The motion carried unanimously.

**11. Public Comments:** None.

**12. Next Meeting:** The next meeting will be held on June 21, 2017 at 9:00a.m. with the location to be determined.

**13. Adjourn:** The meeting adjourned at 11:54a.m.

## Exhibit A

### Comparison of Catch Basin, Pavement Sweeping, and Stormwater BMP Inspection and Maintenance Services Prices

Catch Basin Inspection and Cleaning	Unit	# of Units	Sterling Stormwater Maintenance Services, LLC	Clean Venture, Inc.	Environmental Dynamics	Ted Berry Company, Inc.	Recent Contract Price	FY2018 Budget Estimate
Catch Basin Inspection and Cleaning	Each	800	\$ 100.00	\$ 75.00	\$ 65.00	\$ 127.50	\$ 60.00	\$ 36.00
Drain Manhole Inspection and Cleaning	Each	250	\$ 100.00	\$ 75.00	\$ 65.00	\$ 127.50	\$ 60.00	\$ 36.00
Pavement Sweeping	Unit	# of Units	Maritime Farms & Land Management, LLC				Recent Contract Price	FY2018 Budget Estimate
Spring Sweeping - Large Particle Collection	Acre	260	\$ 147.00				\$ 215.00	\$ 215.00
Spring Sweeping - Collection of Fines	Acre	260	\$ 137.00				\$ 125.00	\$ 125.00
Hot Spot Sweeping Event 1	Acre	55	\$ 137.00				\$ 125.00	\$ 125.00
Hot Spot Sweeping Event 2	Acre	55	\$ 137.00				\$ 125.00	\$ 125.00
Hot Spot Sweeping Event 3	Acre	55	\$ 137.00				\$ 125.00	\$ 125.00
Porous Pavement	Acre	5	\$ 155.00				\$ 50.00	\$ 50.00
Stormwater BMP Inspection Services	Unit	# of Units	Maritime Farms & Land Management, LLC	Sterling Stormwater Maintenance Services, LLC			Recent Contract Price	FY2018 Budget Estimate
CONTECH Filterra® Bioretention System Inspection	Each	18	\$ 65.00	\$ 200.00				\$ 320.00
Vegetated Swale Inspection	Each	9	\$ 65.00	\$ 200.00				\$ 320.00
Underdrained Soil Filter Inspection	Each	18	\$ 130.00	\$ 200.00				\$ 320.00
Gravel Wetland Inspection	Each	3	\$ 195.00	\$ 300.00				\$ 425.00
Bioretention Cell/Rain Garden Inspection	Each	9	\$ 130.00	\$ 200.00				\$ 425.00
ADS Storm-Pure™ Catch Basin Insert Inspection	Each	1	-	\$ 200.00				\$ 106.00
CONTECH Jellyfish® Filter Inspection	Each	3	-	\$ 300.00			\$ 500.00	\$ 532.00
Hydro First Defense® Catch Basin Insert Inspection	Each	2	-	\$ 200.00				\$ 212.00
Hydro Downstream Defender® Catch Basin Insert Inspection	Each	4	-	\$ 200.00				\$ 212.00
ADS StormTech® Infiltration and Treatment BMP Inspection	Each	9	-	\$ 300.00			\$ 200.00	\$ 425.00
							\$ 400.00	
StormTreat Bioretention and Treatment BMP Inspection	Each	15	-	\$ 200.00			\$ 200.00	\$ 212.00
Brentwood StormTank® Subsurface Retention BMP Inspection	Each	1	-	\$ 300.00			\$ 400.00	\$ 212.00
Stormwater BMP Maintenance Services	Unit	# of Units	Maritime Farms & Land Management, LLC	Sterling Stormwater Maintenance Services, LLC			Recent Contract Price	FY2018 Budget Estimate
CONTECH Filterra® Bioretention System Maintenance	Each	18	\$ 142.50	\$ 400.00				\$ 500.00
Vegetated Swale Maintenance	Each	9	\$ 680.00	\$ 600.00				\$ 2,000.00
Underdrained Soil Filter Maintenance	Each	18	\$ 471.00	\$ 600.00				\$ 2,000.00
Gravel Wetland Maintenance	Each	3	\$ 2,400.00	\$ 1,200.00				\$ 2,000.00
Bioretention Cell/Rain Garden Maintenance	Each	9	\$ 471.00	\$ 600.00				\$ 2,000.00
ADS Storm-Pure™ Catch Basin Insert Maintenance	Each	1	-	\$ 500.00				\$ 150.00
CONTECH Jellyfish® Filter Maintenance	Each	3	-	\$ 1,200.00			\$ 2,500.00	\$ 2,500.00
Hydro First Defense® Catch Basin Insert Maintenance	Each	2	-	\$ 1,000.00			\$ 2,000.00	\$ 150.00
Hydro Downstream Defender® Catch Basin Insert Maintenance	Each	4	-	\$ 1,000.00			\$ 2,000.00	\$ 150.00
ADS StormTech® Infiltration and Treatment BMP Maintenance	Each	9	-	\$ 1,000.00			\$ 500.00	\$ 1,500.00
							\$ 2,000.00	
StormTreat Bioretention and Treatment BMP Maintenance	Each	15	-	\$ 400.00				\$ 1,500.00
Brentwood StormTank® Subsurface Retention BMP Maintenance	Each	1	-	\$ 1,200.00				\$ 5,000.00

# Exhibit B

March 2017  
Draft Maritime Farms Change Order  
Summary of All Areas

LANDSCAPING CONTRACTOR SERVICES AGREEMENT			
Maritime Farms & Land Management, LLC			
Proposed Change Order - May 2017			
SUMMARY			
		2017 Total Cost	2018 Total Cost
<b>Darling Avenue</b>			
•Add three underdrained soil filters	ADDED March 2017	\$3,283.08	\$3,322.18
<b>Philbrook Avenue</b>			
•Add six Stormtreats	ADDED March 2017	\$777.98	\$790.98
•Delete unknown Filterra	DELETED March 2017	(\$873.11)	(\$883.50)
•Delete Hampton Inn (not LCWMD BMP)			
<b>Mall Plaza and 220 Maine Mall Road (Parcel 57)</b>			
•Add November vegetation cut for underdrained soil filters	ADDED March 2017	\$3,339.02	\$3,379.62
•Add trash removal for underdrained soil filters	DELETED March 2017	(\$563.30)	(\$570.00)
•Add cut perennials in October; Delete cut perennials in April			
<b>Blanchette Brook (Col Westbrook &amp; Thomas Drive)</b>			
•Add weed and trash removal for riparian buffer	ADDED March 2017	\$5,773.28	\$5,843.37
•Add November vegetation cut for gravel wetland	DELETED March 2017	(\$360.52)	(\$364.80)
•Delete one underdrained soil filter			
<b>Gorham Road Medians and Concrete Forebays</b>			
•Add eight median underdrained soil filters	ADDED March 2017	\$4,642.16	\$4,698.55
•Add five concrete forebays			
<b>Maine Mall Road Medians and Concrete Forebays</b>			
•Add two underdrained soil filters	ADDED March 2017	\$8,177.96	\$8,277.28
•Add one concrete forebay	DELETED March 2017	(\$1,802.56)	(\$1,824.00)
•Add trash removal, weed, mulch for ten Filterras			
•Delete detention basin (not constructed)			
<b>Fairchild/ON</b>			
•Add November vegetation cut	ADDED March 2017	\$2,340.73	\$2,369.16
<b>City of South Portland Medians</b>			
•Not maintained by LCWMD	DELETED March 2017	(\$2,478.52)	(\$2,508.00)
<b>Miscellaneous</b>			
•Change scope of "on call" services to from aesthetic weeding and mowing to any task, zero dollar	ADDED March 2017	\$1,000.00	\$1,000.00
•Add \$1,000.00 annually for \$2,000,000 General Liability/\$2,000,000 Automobile Liability			
<b>Net Change in Contract Value</b>		<b>\$23,256.20</b>	<b>\$23,530.84</b>

	2017	2018
Original Scope	\$56,647.36	\$56,865.52
Added March 2017	\$23,256.20	\$23,530.84
	<b>\$79,903.56</b>	<b>\$80,396.36</b>