

## Long Creek Watershed Management District Governing Board

Agenda – December 7, 2012 – 10:30 a.m. meeting

Location: Scarborough Town Office, Council Chambers B

1. **Call to order**
2. **Roll call**
3. **Minutes 9-28-12** (*Attachment A*)
4. **Treasurer's Report** (*Attachment B*)
5. **Audit and development of FY2014 budget**
6. **Technical Committee report**
  - a. **Monitoring** (*Attachment C – posted separately due to size*)
7. **Executive Director's report**
  - a. Noncompliant landowners
  - b. Blanchette Brook Retrofit project (Thomas Drive, Westbrook)
  - c. Maine Mall retrofit project - EPIC system/urban trees study/UMO capstone project
8. **Catchment C-08 feasibility study presentation** (*Attachment D – posted on the [www.restorelongcreek.org](http://www.restorelongcreek.org) website*)
  - a. **Contract Services, Catchment C-08 Engineering.** To award a sole source contract (finding required – *Attachment E – posted separately due to size*) for the engineering of Catchment C-08, Fairchild Semiconductor retrofits, South Portland, Maine for the LCWMD and to authorize the LCWMD Chair/President to execute documents necessary thereto. Recommendation for contract award to be presented at the meeting.
9. **Contract Services, Landscaping, BMP Maintenance, and small excavation services.** To award contract(s) for landscaping, BMP Maintenance and small excavation services, South Portland and Westbrook, Maine for the LCWMD and to authorize the LCWMD Chair/President to execute documents necessary thereto. Recommendation for contract award to be presented at the meeting.
10. **Website subcommittee**
11. **Annual Meeting / Proposed Annual Report**
  - a. Meeting - How to get landowners to attend? Can we explore credits?
  - b. Proposed Annual Report - newsletter format report with an overview of the year's work including monitoring update, income/expenditures
    - What should be the focus issue of the year? Coal tar sealant? Chloride?
    - Do you want to have a landowner of the year?
12. **Board member lack of attendance**
  - a. From the By-laws, Article 3, Directors, Section 2, Board of Directors, 10) Attendance. "If a Director fails to attend at least one-half of the meetings of the Board of Directors subsequent to the preceding annual meeting of the Board, or if he/she fails to attend two (2) consecutive meetings of the Board without having provided at least one (1) day's prior notice of such absence to the President/Chair or Vice-President/Vice-Chair, the appointing authority of that Director shall be so notified by the President/Chair."
13. **Public Comments.**
14. **Adjourn.**

Long Creek Watershed Management District Governing Board  
Minutes – September 28, 2012 – 10:00 a.m. Meeting  
Location: MTA Headquarters

**1. Call to order – 10:02 a.m.**

**2. Roll call**

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

**3. Minutes** Mr. Jalbert made the motion to accept the 6-22-12 minutes as presented. Mr. Goldberg seconded the motion. The motion was approved unanimously. Mr. Russell made the motion to accept the 6-27-12 minutes as presented. Mr. Raymond seconded the motion. The motion was approved unanimously.

**4. Treasurer's Report**

- Need to explore cash reserve policy in the future. Currently it is on the budget as carry forwards for maintenance or future construction projects.

**5. Technical Committee report**

- Discussion of credits for sites where LCWMD retrofitted existing basins. Board identified this as a board issue and not a Technical Committee issue. Board is interested in maintaining the credit for landowners who installed a BMP that LCWMD will retrofit and then takeover maintenance for. Credit will remain at the level the landowner was at prior to LCWMD retrofitting the BMP.

**6. Executive Director's report**

- Noncompliant landowners – CPSP/Cornerbrook LLC – DEP is currently pursuing through the courts
- Chloride update/next steps – DEP is providing a free training for contractors on November 20<sup>th</sup> in Portland. Outreach still needs to occur to MEREDA regarding value of trained contractors for winter maintenance.
- Blanchette Brook Retrofit project (Thomas Drive, Westbrook) – project is anticipated to be substantially complete by November.
- Fairchild/Texas Instruments Feasibility Study – AMEC will have the feasibility study completed in October. Next steps will be determined after study is submitted.
- Maine Mall retrofit project - EPIC system/urban trees study/UMO capstone project

**7. Motion to Accept Easements.** Normally, a deed is effective upon delivery to the party intended to whom the conveyance is directed. However, public bodies are required to “accept” interests in property (and to authorize their conveyance when transferring interests in property). Therefore, this motion is a catch-all for all easements obtained since the initial project easements for the Darling Avenue and 220 Maine Mall Road projects (which were accepted by Cumberland County Soil & Water Conservation District and then assigned to and accepted by the LCWMD Board).

- **Mr. Jalbert made the motion to have the Board of the Long Creek Watershed Management District hereby to accept the following easements:**

- a. BEST MANAGEMENT PRACTICES EASEMENT dated November 8, 2011 by and between PORT RESOURCES and LONG CREEK WATERSHED MANAGEMENT DISTRICT over certain real property located at 280 Gannett Drive, South Portland, Maine.
- b. Stormwater Management Facility Easement dated September 9, 2011 between Colonel Westbrook Associates and LONG CREEK WATERSHED MANAGEMENT DISTRICT over certain real property located at 1 Thomas Drive, Westbrook, Maine.
- c. Best Management Practices Easement dated September 19, 2011 between 7 THOMAS DRIVE, LLC and LONG CREEK WATERSHED MANAGEMENT DISTRICT over certain real property located at 7 Thomas Drive, Westbrook, Maine.
- d. Best Management Practices Easement dated July 9, 2012 between Colonel Westbrook Associates and LONG CREEK WATERSHED MANAGEMENT DISTRICT over certain real property located at 860 Spring Street, a/k/a 862-866 Spring Street, Westbrook, Maine.
- e. Best Management Practices Easement dated July 9, 2012 by and between Colonel Westbrook Associates and LONG CREEK WATERSHED MANAGEMENT DISTRICT over certain real property located at 2 Thomas Drive, Westbrook, Maine.
- f. Best Management Practices Easement dated July 9, 2012 by and between Millennium Development, LLC and LONG CREEK WATERSHED MANAGEMENT DISTRICT over certain real property located at 4 Thomas Drive, Westbrook, Maine.
- g. Best Management Practices Easement dated July 9, 2012 by and between Westport Realty, LLC and LONG CREEK WATERSHED MANAGEMENT DISTRICT over certain real property located at 8 Thomas Drive, Westbrook, Maine.
- h. Best Management Practices Easement dated June 1, 2012 by and between Peter F. Holmes and LONG CREEK WATERSHED MANAGEMENT DISTRICT over certain real property located at 10 Thomas Drive, Westbrook, Maine.
- i. Best Management Practices Easement dated July 10, 2012, by and between Lanco Properties, LLC, and LONG CREEK WATERSHED MANAGEMENT DISTRICT over certain real property located at 14 Thomas Drive, Westbrook, Maine.
- j. Best Management Practices Easement made July 10, 2012 by and between Lanco Properties, LLC, and LONG CREEK WATERSHED MANAGEMENT DISTRICT over certain real property located at 20 Thomas Drive, Westbrook, Maine.

- **Mr. Russell seconded the motion. The motion was approved unanimously.**

**8. Public Comments.**

- Mr. Palmer conveyed that the process for the DOT Cummings Road project was frustrating. LCWMD does not have regulatory authority. Therefore, LCWMD could not require treatment for DOT's project which claimed a portion of the Sable Oaks golf course property under eminent domain.

**9. Adjourn. 11:17 a.m.** Mr. Jalbert made the motion to adjourn the meeting. Mr. Palmer seconded the motion. The motion was approved unanimously.

2:47 PM

11/13/12

Accrual Basis

**Long Creek Watershed Management District**  
**Balance Sheet**  
As of October 31, 2012

	Oct 31, 12
<b>ASSETS</b>	
<b>Current Assets</b>	
Checking/Savings	
1000 · TD BANK	1,135,577.27
<b>Total Checking/Savings</b>	1,135,577.27
Accounts Receivable	
1200 · ACCOUNTS RECEIVABLE	3,858.10
<b>Total Accounts Receivable</b>	3,858.10
<b>Total Current Assets</b>	1,139,435.37
<b>Fixed Assets</b>	
1700 · FIXED ASSETS	
1730 · Monitoring Equipment	25,425.00
1740 · Infrastructure	2,428,428.17
1780 · Construction in Process	80,244.03
1790 · Accumulated Depreciation	-53,653.56
<b>Total 1700 · FIXED ASSETS</b>	2,480,443.64
<b>Total Fixed Assets</b>	2,480,443.64
<b>Other Assets</b>	
1850 · Deferred Charges	17,756.18
<b>Total Other Assets</b>	17,756.18
<b>TOTAL ASSETS</b>	<b>3,637,635.19</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
Accounts Payable	
2000 · ACCOUNTS PAYABLE	171,337.27
<b>Total Accounts Payable</b>	171,337.27
Other Current Liabilities	
2320 · Performance Bond	4,197.50
<b>Total Other Current Liabilities</b>	4,197.50
<b>Total Current Liabilities</b>	175,534.77
Long Term Liabilities	
2700 · MM BOND BANK	1,515,166.00
<b>Total Long Term Liabilities</b>	1,515,166.00
<b>Total Liabilities</b>	1,690,700.77
<b>Equity</b>	
3000 · NET ASSETS	1,816,432.53
Net Income	130,501.89
<b>Total Equity</b>	1,946,934.42
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>3,637,635.19</b>

2:47 PM

11/13/12

Accrual Basis

**Long Creek Watershed Management District**  
**Profit & Loss**  
**October 2012**

	Oct 12	Jul - Oct 12
<b>Ordinary Income/Expense</b>		
<b>Income</b>		
4100 · ADMINISTRATION	0.00	49,882.21
4200 · CONSTRUCTION AND MAINTENANCE		
4201 · Drainage Maintenance Agreement	0.00	316.00
4203 · In Lieu of Payment	0.00	-16,108.58
4200 · CONSTRUCTION AND MAINTENANCE - Other	0.00	475,122.80
<b>Total 4200 · CONSTRUCTION AND MAINTENANCE</b>	<b>0.00</b>	<b>459,330.22</b>
4500 · GOOD HOUSEKEEPING		
4504 · In Lieu of Payment	0.00	-1,927.20
4500 · GOOD HOUSEKEEPING - Other	0.00	164,717.02
<b>Total 4500 · GOOD HOUSEKEEPING</b>	<b>0.00</b>	<b>162,789.82</b>
4600 · MONITORING		
4603 · In Lieu of Payment	0.00	-788.40
4600 · MONITORING - Other	0.00	76,229.96
<b>Total 4600 · MONITORING</b>	<b>0.00</b>	<b>75,441.56</b>
4700 · STREAM RESTORATION	0.00	3,020.23
4810 · FINANCE CHARGES	0.00	363.47
4820 · INTEREST	96.06	400.68
<b>Total Income</b>	<b>96.06</b>	<b>751,228.19</b>
<b>Gross Profit</b>	<b>96.06</b>	<b>751,228.19</b>
<b>Expense</b>		
5040 · CONSTRUCTION		
5042 · Engineering	4,839.95	16,455.48
5046 · Structural	89,025.67	475,238.17
5047 · Maintenance	4,975.00	9,810.00
5040 · CONSTRUCTION - Other	0.00	37,879.15
<b>Total 5040 · CONSTRUCTION</b>	<b>98,840.62</b>	<b>539,382.80</b>
6180 · INSURANCE		
6181 · Liability Insurance	0.00	2,017.00
<b>Total 6180 · INSURANCE</b>	<b>0.00</b>	<b>2,017.00</b>
6270 · PROFESSIONAL FEES		
6271 · Engineer	0.00	9,435.00
6272 · Legal Fees	1,272.35	8,088.15
6274 · Administration	0.00	9,129.11
6276 · Sweeping	6,835.23	14,668.46
6277 · WQ Monitoring	0.00	19,177.54
6278 · Catch Basin Cleaning	0.00	216.00
6270 · PROFESSIONAL FEES - Other	0.00	18,612.24
<b>Total 6270 · PROFESSIONAL FEES</b>	<b>8,107.58</b>	<b>79,326.50</b>
<b>Total Expense</b>	<b>106,948.20</b>	<b>620,726.30</b>
<b>Net Ordinary Income</b>	<b>-106,852.14</b>	<b>130,501.89</b>
<b>Net Income</b>	<b>-106,852.14</b>	<b>130,501.89</b>

10:38 AM

11/14/12

**Long Creek Watershed Management District**  
**A/R Aging Summary**  
**As of November 14, 2012**

	<u>Current</u>	<u>1 - 90</u>	<u>&gt; 90</u>	<u>TOTAL</u>
<b>Lanco Properties, LLC.</b>				
112-F-01	0.00	0.00	-1,842.47	-1,842.47
113-F-01	0.00	0.00	-3,461.70	-3,461.70
<b>Total Lanco Properties, LLC.</b>	0.00	0.00	-5,304.17	-5,304.17
<b>Port Resources</b>				
135-01	0.00	-4,242.03	0.00	-4,242.03
<b>Total Port Resources</b>	0.00	-4,242.03	0.00	-4,242.03
<b>R.A. Cummings, Inc.</b>				
125-I-01	0.00	0.00	1,870.06	1,870.06
43-I-01	0.00	0.00	552.00	552.00
<b>Total R.A. Cummings, Inc.</b>	0.00	0.00	2,422.06	2,422.06
<b>REJ I, LLC</b>				
80-01	0.00	0.00	1,932.76	1,932.76
<b>Total REJ I, LLC</b>	0.00	0.00	1,932.76	1,932.76
<b>Storage Realty Corp</b>				
54-01	0.00	0.00	-0.02	-0.02
<b>Total Storage Realty Corp</b>	0.00	0.00	-0.02	-0.02
<b>TOTAL</b>	<b>0.00</b>	<b>-4,242.03</b>	<b>-949.37</b>	<b>-5,191.40</b>

10:39 AM

11/14/12

**Long Creek Watershed Management District**  
**A/P Aging Summary**  
**As of November 14, 2012**

	<u>Current</u>	<u>1 - 30</u>	<u>31 - 60</u>	<u>61 - 90</u>	<u>&gt; 90</u>	<u>TOTAL</u>
R.J. GRONDIN & SONS	0.00	1,780.51	2,860.66	4,863.29	0.00	9,504.46
SEABREEZE PROPERTY SERVICES	0.00	0.00	0.00	0.00	1,539.00	1,539.00
<b>TOTAL</b>	<b>0.00</b>	<b>1,780.51</b>	<b>2,860.66</b>	<b>4,863.29</b>	<b>1,539.00</b>	<b>11,043.46</b>