



Long Creek Watershed Management District Board of Directors

Minutes from December 5, 2018 Meeting

Location: ON Semiconductor, 333 Western Avenue, South 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 (departed after vote on Water Quality Monitoring Services Agreement), Arthur Colvin, Fred Dillon, Eric Dudley, Brian Goldberg, Will Haskell, Susan Henderson, Ed Palmer (arrived after vote on October 10, 2018 minutes), Doug Roncarati, Michael Vail
 - b. Absent: Peter Newkirk, Craig Gorris
 - c. Staff/Guests: Peter Carney (LCWMD Executive Director), Damon Yakovleff (Cumberland County Soil & Water Conservation District), Jim Katsiaficas (Perkins-Thompson) (via telephone)
 3. **Review of Board Meeting Minutes:**
 - a. The Board reviewed minutes from the October 10, 2018 meeting.
 - b. Mr. Roncarati noted that the word "lost" in paragraph 8(f) should be "low."
 - c. **Mr. Haskell made a motion to accept the minutes from the October 10, 2018 meeting, with the correction offered by Mr. Roncarati. Ms. Henderson seconded the motion. The motion carried unanimously.**
 4. **Treasurer's Report:**
 - a. Mr. Bohlen reviewed the October Financial Report.
 - b. There were no major updates to report.
 - c. Mr. Carney reviewed the FY2018 financial audit report completed by Smith & Associates, CPAs.
 - d. Mr. Carney noted that the audit report is included in today's Board packet.
 - e. Mr. Carney noted there were few recommendations.
 - f. Smith & Associates, CPAs did recommend a change from using non-profit accounting standards to government accounting standards, based on LCWMD's status as a quasi-municipal entity. Substantively, using government accounting standards resulted in one small change in the way capitalizing of certain items is done.
- Mr. Palmer joined the meeting.
5. **Landscaping Services: Services Agreement Award**
 - a. Mr. Carney provided background by reviewing contract costs for the 2016, 2017, and 2018 calendar years.
 - b. Mr. Carney noted that based on the original agreement, plus subsequent change orders, the value of the landscaping contract for the 2018 calendar year was approximately \$83,200.
 - c. Two proposals were received in response to LCWMD's request for proposals, one from Maritime Farms & Land Management, LLC, and one from Phillip R. Webster d/b/a PR Webster.
 - d. Maritime Farms & Land Management, LLC is LCWMD's current landscaping services contractor, and Phillip R. Webster d/b/a PR Webster is a prior LCWMD landscaping services contractor.

- e. The costs under the Maritime Farms & Land Management, LLC proposal for the 2019 and 2020 calendar years is approximately \$86,000 annually, and under the Phillip R. Webster d/b/a PR Webster proposal the costs are approximately \$76,000 annually.
- f. A subcommittee was tasked by the Board with reviewing and scoring the proposals in accordance with the requirement in the request for proposals.
- g. A summary of the scores assigned by the subcommittee is provided in Attachment D of today's Board packet.
- h. The scores are based on a combination of factors concerning qualifications and cost. The average score awarded to Maritime Farms & Land Management, LLC is 184.25 points, and the average score awarded to Phillip R. Webster d/b/a PR Webster is 154 points, out of a possible 200 points.
- i. Based on the scores assigned by the subcommittee, the qualifications and experience of Maritime Farms & Land Management, LLC outweighed the lower cost of the Phillip R. Webster d/b/a PR Webster proposal.
- j. The subcommittee noted that it deliberated for about two hours, and the recommendation of the subcommittee is that the landscaping services agreement be awarded to Maritime Farms & Land Management, LLC.
- k. **Mr. Goldberg moved to award the landscaping services agreement for calendar years 2019 and 2020 to Maritime Farms & Land Management, LLC and to authorize the Executive Director to enter into a Services Agreement with Maritime Farms & Land Management, LLC in accordance with terms of the Landscaping Services Request for Proposals at the price set forth in the Maritime Farms & Land Management, LLC proposal. Mr. Dudley seconded the motion. The motion carried unanimously.**

6. Water Quality Monitoring Services: Services Agreement Award

- a. Mr. Carney provided background by reviewing contract costs for the 2016, 2017, and 2018 calendar years.
- b. Mr. Carney noted that annual costs for 2016, 2017, and 2018 were between approximately \$95,000 and \$104,000, with the variations being the result of differences in the scope of work each year. Mr. Carney noted that the primary fluctuation in annual cost is whether biomonitors were required in that year. Biomonitors events occur twice in each five-year period.
- c. Mr. Carney noted that five firms attended the mandatory pre-bid meeting, however, only one proposal was received.
- d. The one proposal received was from GZA GeoEnvironmental, Inc., which is LCWMD's current water quality monitoring services contractor.
- e. The costs under the GZA GeoEnvironmental, Inc. proposal for the 2019 and 2020 calendar years is approximately \$57,000 annually.
- f. The reduced costs in 2019 and 2020, relative to 2016, 2017, and 2018, are primarily due to: (1) no biomonitors being required in 2019 or 2020; (2) revisions to Long Creek Monitoring Plan which streamlined certain aspects of the plan; and (3) efficiencies realized by GZA GeoEnvironmental, Inc. through its prior work with LCWMD and familiarity with the Long Creek Water Quality Monitoring Plan and Quality Assurance Project Plan.
- g. A subcommittee was tasked by the Board with reviewing and scoring the proposal in accordance with the requirement in the request for proposals.
- h. A summary of the scores assigned by the subcommittee is being handed out at today's meeting (attached to these minutes).

- i. The scores are based on a combination of factors concerning qualifications and cost. The average score award to GeoEnvironmental, Inc. is 91.25, out of a possible 100 points.
- j. The recommendation of the subcommittee is that the water quality monitoring services agreement be awarded to GZA GeoEnvironmental, Inc.
- k. **Mr. Colvin moved to award the water quality monitoring services agreement for calendar years 2019 and 2020 to GZA GeoEnvironmental, Inc. and authorize the Executive Director to enter into a Services Agreement with GZA GeoEnvironmental, Inc. in accordance with terms of the Water Quality Monitoring Services Request for Proposals at the price set forth in the GZA GeoEnvironmental, Inc. proposal. Mr. Vail seconded the motion. The motion carried unanimously.**

Mr. Bohlen left the meeting for another obligation, Mr. Vail accompanied Mr. Bohlen to the exit.

7. Motion Pertaining to Outcome of October 10, 2018 Executive Session:

- a. Mr. Dillon advised that this matter had been discussed in Executive Session at the October 10, 2018 Board meeting, but a formal motion had not been made at the conclusion of the Executive Session to formalize the outcome.
- b. During the Executive Session at the October 10, 2018 Board meeting the Board agreed to increase the Executive Director's salary by 3.75%; apply the existing health insurance stipend of 15% to the new base salary amount; and apply the existing employer Simple IRA contribution of 3% to the total of the new base salary amount plus the amount of the health insurance stipend.
- c. Mr. Dillon noted that today's vote is to formalize the outcome of the October 10, 2018 executive session.
- d. **Mr. Dudley moved to increase Executive Director's salary by 3.75%; apply the existing health insurance stipend of 15% to the new base salary amount; and apply the existing employer Simple IRA contribution of 3% to the total of the new base salary amount plus the amount of the health insurance stipend; all retroactive to October 10, 2018. Mr. Palmer seconded the motion. The motion carried unanimously.**

Mr. Vail returned to the meeting.

8. Long Creek Watershed Management Plan Assessment; Report out of Meeting with Maine DEP

- a. This item was tabled for the next meeting when Mr. Bohlen and Mr. Newkirk could be present.
- b. Mr. Carney provided a brief summary of the meeting with Maine DEP.
- c. Mr. Carney noted that he, Mr. Dillon, and Mr. Bohlen met with Maine DEP to discuss plans for the Long Creek Watershed Management Plan following the end of the current permit cycle in 2020.
- d. Topics discussed included updates to the Long Creek Watershed Management Plan, and the potential implications to landowner assessments.

9. Mr. Goldberg asked for a brief update on the Main Stem Restoration Project.

- a. Mr. Carney provided a summary on: (1) the status of easements; (2) the status of 100% design plans; and (3) the status of permit applications to Maine DEP and City of South Portland.
- b. Mr. Carney noted that the primary ongoing work involves obtaining easements and development of the construction request for proposals.

- c. Mr. Carney advised that four, out of nine required easements, have been received and two more should be forthcoming based on conversations with landowners.
- d. Mr. Carney advised that he has been working on a first cut of the construction bid specifications and the document will be provided to Mr. Katsiaficas for review sometime in the next several weeks.
- e. Mr. Carney noted that the design plans are near 100% completion. The design plans will be basis for the license application that will be submitted to the City of South Portland.
- f. LCWMD may need to request a waiver of title, right, or interest from the City of South Portland if not all easements are received soon. The easements will ultimately need to be obtained, but the waiver would allow the City's planning board review process to proceed without having all easements in place.
- g. Mr. Carney advised that Mr. Field, the project design lead, would like to start construction in late April or early May before there are leaves on trees. This time of year is best for open site lines in wooded areas which would be beneficial to the work of contouring the flood plain and the placement of constructed log jams.

10. Public Comments: None.

11. Next Meeting: The next meeting will be held on January 15, 2019 at 9:00a.m. at the Eco Maine Recycling Facility, 64 Blueberry Road, Portland, Maine.

12. Adjourn: The meeting adjourned at 9:46a.m.