



Long Creek Watershed Management District Board of Director's Meeting

Minutes from December 16, 2020 Meeting

Location: Remote participation due to COVID-19; members of the public may participate in the meeting telephonically by calling (207) 352-4212 and entering conference ID: 794 237 059#.

1. **Call to Order:** Mr. Dillon called the meeting to order at 9:04a.m.
2. **Roll Call:**
 - a. Attendance: Angela Blanchette, Curtis Bohlen, Fred Dillon, Eric Dudley, Brian Goldberg, Craig Gorris, Kerem Gungor, Susan Henderson, Ed Palmer, Doug Roncarati
 - b. Absent: Arthur Colvin, Sean Donohue, Will Haskell
 - c. Staff/Guests: Peter Carney (Long Creek Watershed Management District), Jim Katsiaficas, Esq. (Perkins Thompson), Chris Brewer (Cumberland County Soil & Water Conservation District)
3. **Review of Board Meeting Minutes:**
 - a. The Board reviewed the minutes from the November 24, 2020 meeting.
 - b. **Mr. Dillon made a motion to approve the November 24, 2020 Board meeting minutes. Mr. Gungor seconded the motion. Ms. Blanchette abstained as she was not in attendance at the November 24, 2020 meeting. The motion carried unanimously.**
4. **Treasurer's Report:**
 - a. Mr. Bohlen reviewed the November Financial Report noting all expenses are performing as expected.
 - b. Mr. Brewer noted the financial report provided in the Board packet does not reflect a couple of large bills, due to the timing of invoices. Currently, budgeted expenses are 18.6% of the budgeted amount.
5. **Carry Over Executive Director Leave Time from Calendar Year 2020 to Calendar Year 2021:**
 - a. Mr. Carney noted that under the terms of his employment the Executive Director may carry over unused paid time off from one year to the next if approved by the Board.
 - b. Mr. Carney requested that the Board approve carrying over up to 40 hours of leave time from 2020 to 2021.
 - c. **Mr. Dudley made a motion to authorize Executive Director to carry over up to 40 hours of leave time from 2020 to 2021. Mr. Gungor seconded the motion. The motion carried unanimously.**
6. **Sole Source Agreement, P.C. Sexton WIT Companies, LLC, Sustainable Winter Management (SWiM®) Program:**
 - a. Mr. Carney reminded the Board that it approved a sole source agreement with P.C. Sexton WIT Companies, LLC at the November 24, 2020 meeting.
 - b. Mr. Carney noted that Participating Landowner Agreements require parties with which LCWMD enters into contracts to carry \$2,000,000 each of general liability and automobile liability insurance.

- c. Participating Landowner Agreements do not require that contractors carry professional liability insurance in any amount.
- d. As a matter of practice, LCWMD has typically required contractors to carry professional liability insurance when professional services are involved in the amount of \$2,000,000, the amount being consistent with the general liability and automobile liability limits.
- e. Mr. Carney advised that during discussions concerning the sole source agreement P.C. Sexton WIT Companies, LLC's insurance carrier was reluctant to provide \$2,000,000 in professional liability insurance because of the relatively low value of the services being provided.
- f. P.C. Sexton WIT Companies, LLC asked if the professional liability limit could be set at \$1,000,000, and Mr. Carney tentatively agreed.
- g. Mr. Carney said he had intended to raise the professional liability limit of \$1,000,000 during the November 24, 2020 discussion concerning approval of the contract but had forgotten to do so.
- h. Mr. Carney advised that finalization of the services agreement was deferred until the Board could consider and ratify the amount of \$1,000,000 for professional liability insurance, approval of which amount is being requested today.
- i. **Ms. Henderson made a motion to authorize the Executive Director to enter into the previously approved sole source agreement with P.C. Sexton WIT Companies, LLC with professional liability insurance in the amount of \$1,000,000. Mr. Bohlen seconded the motion. The motion carried unanimously.**

7. Sole Source Purchase, Contech Engineered Solutions LLC, Solid Covers:

- a. Mr. Carney provided background on the sole source purchase request with Contech Engineered Solutions LLC, which pertains to the purchase of three replacement Filterra unit grates in the amount of \$3,489.
- b. The Filterra units are a proprietary product of Contech Engineered Solutions LLC, the replacement grates are not otherwise available from another vendor.
- c. The three Filterra grates are intended to replace the grates in three existing Filterra units under the management of LCWMD. The three existing grates are of the type that were designed with a hole in the grate to accommodate the growth of a tree through the grate.
- d. The three Filterra units at issue are located near highly travelled roadways and are in, or adjacent to, sidewalks.
- e. Mr. Carney noted that it is his understanding the Filterra units at issue were not specified to be planted with trees because of their proximity to the road, and rather than trees small plants were specified to be planted in these Filterra units.
- f. The small plants have not survived given the high-stress and high-pollutant load environment in which they were planted, therefore, the hole through which the tree, or other plant, would typically grow is left open and becomes a tripping hazard given the location of the grate in or adjacent to the sidewalks.
- g. The replacement grates do not have holes for trees to grow through and are intended to eliminate the tripping hazard.
- h. **Mr. Roncarati made a motion to authorize the Executive Director to purchase replacement Filterra grates in the amount of \$3,489 from Contech Engineered Solutions LLC. Ms. Blanchette seconded the motion. The motion carried unanimously.**

8. Award of Services Agreements:

- a. Mr. Carney noted that, by design, LCWMD's five primary services agreements were set to expire at the end of 2020, to be consistent with the Long Creek General Permit's five-year permit cycle.
- b. As a result, over the past several months, requests for proposals were issued so that new services agreements could be awarded for Stormwater BMP Inspection and Maintenance Services, Landscaping Services, Water Quality Monitoring Services, Catch Basin Inspection and Cleaning Services, and Pavement Sweeping Services Agreement, with the contract terms being for calendar years 2021 through 2023, with the option for one-year extensions into 2024 and 2025.
- c. Subsequent to the submission of proposals under each request for proposals, scoring committees consisting of various combinations of Board members, and Mr. Carney, scored each proposal. The scoring criteria included in each request for proposals typically consisted of consideration of the quality of the proposal, the proposer's experience and qualifications, the proposer's safety record and training, references, and an assessment of overall value. A summary of each scoring committee's assessment of the submitted proposals is included in today's Board packet.
- d. Mr. Carney suggested that the request for proposals be discussed collectively as some of the work under the various services agreements is inter-related, then at the end of the discussion the Board could decide whether or not to vote on the services agreement awards separately or collectively.
- e. Mr. Carney noted that with respect to the Stormwater BMP Inspection and Maintenance Services Request for Proposals, two proposals were received with the highest scoring proposal being from Sterling Stormwater Maintenance Services, LLC.
- f. Mr. Carney noted that with respect to the Landscaping Services Request for Proposals, two proposals were received with the highest scoring proposal being from Maritime Farms & Land Management, LLC.
- g. Mr. Carney noted that with respect to the Water Quality Monitoring Services Request for Proposals, two proposals were received with the highest scoring proposal being from GZA GeoEnvironmental, Inc.
- h. Mr. Carney noted that with respect to the Catch Basin Inspection and Cleaning Services Request for Proposals, two proposals were received with the highest scoring proposal being from Clean Venture, Inc.
- i. Mr. Carney noted that with respect to the Pavement Sweeping Services Request for Proposals, one proposal was received, which was, therefore, the highest scoring proposal, being from Maritime Farms & Land Management, LLC.
- j. Following a brief description of the assessments undertaken by each scoring committee, the Board decided to collectively move approval of the services agreements with the highest scoring proposer being awarded the services agreement pursuant to each request for proposals.
- k. **Mr. Roncarati made a motion to authorize the Executive Director to enter services agreements, as follows:**
 - i. **Sterling Stormwater Maintenance Services, LLC for Stormwater BMP Inspection and Maintenance Services;**
 - ii. **Maritime Farms & Land Management, LLC for Landscaping Services;**
 - iii. **GZA GeoEnvironmental, Inc. for Water Quality Monitoring Services;**
 - iv. **Clean Venture, Inc. for Catch Basin Inspection and Cleaning Services; and**
 - v. **Maritime Farms & Land Management, LLC for Pavement Sweeping Services;**

in accordance with the terms of the respective Request for Proposals issued by LCWMD and each service provider's proposal. Mr. Dudley seconded the motion. The motion carried unanimously.

9. Annual Nomination and Election of Board Officers: Chair, Vice Chair, Treasurer, and Secretary:

- a. Mr. Carney noted that LCWMD's organizational documents require that an "annual meeting" be held by the Board each year at which time the Board elects a Chair, Vice Chair, Treasurer, and Secretary for the following year.
- b. Mr. Carney advised the Board that the annual election of officers typically took place at the "Annual Landowner Meeting," however, that meeting was not held this year due to the coronavirus pandemic.
- c. The Board briefly discussed retaining the same slate of officers for the ensuing year, that being Mr. Dillon as Chair, Mr. Roncarati as Vice Chair, Mr. Bohlen as Treasurer, and Mr. Goldberg as Secretary.
- d. **Ms. Henderson made a motion to nominate and elect as officers, Mr. Dillon for the position of Chair, Mr. Roncarati for the position of Vice Chair, Mr. Bohlen for the position of Treasurer, and Mr. Goldberg for the position of Secretary. Ms. Blanchette seconded the motion. The motion carried unanimously.**

10. Public Comment(s): None.

11. Next Meeting: The next meeting will be held in January with the date to be determined. Mr. Carney agreed to send a poll to the Board to determine the date of the next meeting.

12. Adjourn: The meeting adjourned at 10:10a.m.

Board attendance and voting record:

Member	Attendance	Approval of November 24, 2020 Minutes	Carry Over Executive Director Leave	P.C. Sexton WIT Companies, LLC Insurance	Contech Engineered Solutions LLC Purchase Request	Stormwater BMP Inspection and Maintenance Services Agreement
Blanchette	Y	Abstain	Y	Y	Y	Y
Bohlen	Y	Y	Y	Y	Y	Y
Colvin	N	—	—	—	—	—
Dillon	Y	Y	Y	Y	Y	Y
Donahue	N	—	—	—	—	—
Dudley	Y	Y	Y	Y	Y	Y
Goldberg	Y	Y	Y	Y	Y	Y
Gorris	Y	Y	Y	Y	Y	Y
Gungor	Y	Y	Y	Y	Y	Y
Haskell	N	—	—	—	—	—
Henderson	Y	Y	Y	Y	Y	Y
Palmer	Y	Y	Y	Y	Y	Y
Roncarati	Y	Y	Y	Y	Y	Y

Member	Landscaping Services Agreement	Water Quality Monitoring Services Agreement	Catch Basin Inspection and Cleaning Services Agreement	Pavement Sweeping Services Request for Proposals	Election of Officers
Blanchette	Y	Y	Y	Y	Y
Bohlen	Y	Y	Y	Y	Y
Colvin	—	—	—	—	—
Dillon	Y	Y	Y	Y	Y
Donahue	—	—	—	—	—
Dudley	Y	Y	Y	Y	Y
Goldberg	Y	Y	Y	Y	Y
Gorris	Y	Y	Y	Y	Y
Gungor	Y	Y	Y	Y	Y
Haskell	—	—	—	—	—
Henderson	Y	Y	Y	Y	Y
Palmer	Y	Y	Y	Y	Y
Roncarati	Y	Y	Y	Y	Y

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