



## Long Creek Watershed Management District Board of Director's Meeting

Minutes from June 23, 2022, 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: 115 458 767#.

1. **Call to Order:** Mr. Dillon call the meeting to order at 9:11a.m.
2. **Roll Call:**
  - a. Attendance: Curtis Bohlen, Fred Dillon, Sean Donohue, Brian Goldberg, Will Haskell, Susan Henderson, Jason Kenney, Doug Roncarati
  - b. Absent: Angela Blanchette, Eric Dudley, Craig Gorris, Ed Palmer
  - c. Staff/Guests: Peter Carney (Long Creek Watershed Management District); Jim Katsiaficas, Esq. (Perkins Thompson); Chris Brewer (Cumberland County Soil & Water Conservation District); Stephanie Taylor (City of South Portland)
3. **Review of Board Meeting Minutes:**
  - a. The Board reviewed the minutes from the April 28, 2022, meeting.
  - b. **Mr. Roncarati made a motion to approve the April 28, 2022, Board meeting minutes. Mr. Dillon seconded the motion. The motion carried unanimously.**
4. **Treasurer's Report:**
  - a. Mr. Bohlen reviewed the May Financial Report.
  - b. Mr. Bohlen noted that some expenses reflected in the report are related to work performed in 2021, but which was not invoiced until 2022.
  - c. Mr. Brewer noted that progress is being made by Maine DEP to resolve several outstanding licensing matters, which should result in the District receiving fees related to these outstanding permitting issues.
  - d. Mr. Brewer advised that the audit of the Fiscal Year 2022 financial statement is scheduled to begin in the third week of August.
5. **Approve Fiscal Year 2023 Budget:**
  - a. Mr. Carney reminded the Board that it adopted a provisional budget for Fiscal Year 2023 in January, and that the Board must approve a final budget for the following fiscal year no later than July 1 each year.
  - b. For consideration today is adoption of the final Fiscal Year 2023 in accordance with the Budget Narrative and associated documents included in today's Board packet.
  - c. Mr. Carney noted that there are not many significant changes from the January figures, except for BMP inspection and maintenance.
  - d. Mr. Carney explained that account 5041 is the Reserve Account where non-routine maintenance and repair funds are tracked. The District has been budgeting \$200,000 annually for non-routine maintenance and repair, leftover funds are carried over to future years for accounting purposes

- e. The amount budgeted for the South Branch BMP Retrofits project has not changed. Mr. Carney noted that progress is being made on acquiring the easement necessary to construct the project. Conceivably, project construction could start in late fall to early winter this year.
- f. The same amount budgeted in the prior two fiscal years is proposed again for the Private BMP Incentive Program, but Mr. Carney recommends making changes to the program to make it more palatable to landowners.
- g. Mr. Carney advised that a substantial increase is being proposed for account 5047 which is for structural BMP Inspection and maintenance, the increase pertains to increasing annual inspection and maintenance frequencies for most structural BMPs.
- h. The net effect of the proposed increases in BMP inspection and maintenance frequencies is an annual increase in costs from the current amount of \$80,000 to \$128,000 for BMP inspection and maintenance under the proposed schedule.
- i. In addition, the scope of work has been revised for several BMP types.
- j. Examples of changes in scope include replacing the top three inches of Filterra media annually as a routine maintenance item, heavy cleanout of bioretention cells due to winter sand, and adding an annual draw-down inspection for several BMP types as it has been difficult to time adequate rain events to coincide with maintenance activities.
- k. The increased frequencies are further detailed in the Change Order to the Sterling Stormwater Maintenance Services, LLC BMP Inspection and Maintenance Services Agreement included in today's Board packet.
- l. Mr. Carney advised that account 5090, which is for the purchase of water quality monitoring equipment, doubled from the January figure from \$2,500 to \$5,000. This line item was increased because there have been several monitoring equipment failures already this season as equipment is aging.
- m. Mr. Carney noted that account 6276, which is for Pavement Sweeping, increased from the fiscal year 2022 figure. The increase is related to an increase in the contract acreage to be swept in fiscal year 2023, from 305 total acres and 58 hot spot acres in fiscal year 2022, to 311 total acres and 62 hot spot acres in fiscal year 2023. Per acre sweeping rates remain the same as last year.
- n. **Mr. Goldberg made a motion to approve the Fiscal Year 2023 budget. Mr. Haskell seconded the motion. The motion carried unanimously.**

**6. Sterling Stormwater Maintenance Services, LLC; Change Order:**

- a. Mr. Carney said the decision to review inspection and maintenance frequencies was made after the issue with Filterra media needing to be completely replaced last fall in all Filterra units after laboratory analysis identified that the media was clogged with fine particulate.
- b. Mr. Carney advised that the proposed frequencies were developed in association with Tom Gorrivan from Sterling Stormwater Maintenance Services, LLC, Chris Baldwin, Cumberland County Soil & Water Conservation District's District Engineer, and input from Mr. Roncarati as the City of Portland recently went through a similar exercise of increasing BMP inspection and maintenance frequencies.
- c. Mr. Carney advised that the change order revises the Stormwater BMP Inspection and Maintenance Services Agreement, as follows: (1) it increases BMP inspection and maintenance frequencies; (2) recharacterizes a number of Underdrained Soil Filter BMPs as Bioretention cell BMPs; and (3) amends the scope of work applicable to some BMPs.

- d. Increasing the frequency of inspection and maintenance activities is anticipated to lessen the likelihood that “nonroutine” maintenance will be required, while keeping BMPs at a consistent, high level of function.
  - e. Undrained Soil Filters are typically grassed and only require mowing, whereas, Bioretention cells typically have planting beds which need to be maintained and mulched. The Request for Proposals issued for the current contract generally used the BMP characterizations taken from engineering plans. In some cases, Underdrained Soil Filters have been “converted” to Bioretention cells and in other cases there were different understandings of what should be considered an Underdrained Soil Filter and what should be considered a Bioretention cell. For clarity in this contract, a distinction is being made between grassed BMPs (Underdrained Soil Filters) and landscaped BMPs (Bioretention cells). This characterization results in many former Underdrained Soil Filters being recharacterized as Bioretention cells.
  - f. Given the District’s experience with media in Filterra units becoming clogged with fine particulate, routine maintenance for Filterra units will now include replacement of the top three inches of media as routine annual maintenance. This preventative maintenance is intended to keep the Filterras operating more efficiently and to prolong, or obviate, the need to completely replace the media in the future.
  - g. Changes to the scope of work also include more frequent and more comprehensive cleanout of sediment from certain BMPs and clarifies inspection requirements for post-storm, draw-down assessments.
  - h. **Mr. Haskell made a motion to authorize the Executive Director to enter into a change order with Sterling Stormwater Maintenance Services, LLC to increase BMP inspection and maintenance frequencies. Mr. Donohue seconded the motion. The motion carried unanimously.**
7. **Public Comment(s):** None.
8. **Next Meeting:** Mr. Carney agreed to send a poll to the Board to determine the date of the next meeting.
9. **Adjourn:** The meeting adjourned at 10:14a.m.

Board attendance and voting record:

Board Member	Attendance	Approve April 28, 2022, Minutes	Approve Fiscal Year 2023 Budget	Sterling Stormwater Maintenance Services, LLC; Change Order
<b>Blanchette</b>	N	—	—	—
<b>Bohlen</b>	Y	Y	Y	Y
<b>Dillon</b>	Y	Y	Y	Y
<b>Donahue</b>	Y	Y	Y	Y
<b>Dudley</b>	N	—	—	—
<b>Goldberg</b>	Y	Y	Y	Y
<b>Gorris</b>	N	—	—	—
<b>Haskell</b>	Y	Y	Y	Y
<b>Henderson</b>	Y	Y	Y	Y
<b>Kenney</b>	Y	Y	Y	Y
<b>Palmer</b>	N	—	—	—
<b>Roncarati</b>	Y	Y	Y	Y