

Office of

AUBURN WATER DISTRICT

Office Telephone # 784-6469

The regular monthly meeting of the Trustees of the Auburn Water District will be held at the office of the Auburn Water District, 268 Court Street, on Wednesday, September 18, 2024 at 4:00 P.M.

Regular Meeting AGENDA

1. Approve Minutes of Regular Meeting of July 17, 2024.
2. Approve Minutes of Special Meeting of August 7, 2024
3. Approve Minutes of Regular Meeting of August 21, 2024
4. Financial Report Update -Daphne Paulette, MRWA.
5. Public Comment.
6. Consent Agenda Items
 - Employee safety recognition
 - Project update
 - Water Quality Update
 - Staff Update
 - Commission Update
7. Executive Session In accordance with 1 MRSA sec 405(6)(A) for the purpose of discussion or consideration of an investigation and or hearing of complaints relating to the Auburn Water District By-laws, Article VIII- Code of Ethics.
8. Lake Auburn Watershed Protection Commission, Commissioner Appointments.
9. Trustee Open Session.
10. Adjourn Regular Meeting.

Upcoming: Water Trustee Meeting, October 16, 2024 4:00PM.

A true record:

Attest: _____

Edward Williams, Clerk

September 18, 2024

The regular monthly meeting of the Trustees of the Water District will be held at the office of the Auburn Water District, 268 Court Street, on Wednesday September 18, 2024, at 4:00pm.

Members present: Kevin Arel, Eric Gould, Dan Bilodeau, Mayor Jeffrey Harmon, Denis Bergeron, Robert Cavanagh (Treasurer) and Jason Pawlina (President). Also present: Superintendent Mike Broadbent, and Daphne Paulette of Maine Rural Water. Absent: Assist. Superintendent Matt Waite.

APPROVE THE MINUTES OF THE REGULAR MEETING OF July 17, 2024

On motion of Kevin Arel, seconded by Dan Bilodeau. Mike commented on the vote to table commission appointments to the commission at the next meeting. After discussion, a motion was made to amend the minutes to strike the word appointments, voted and passed 4-3: **To approve the minutes of the regular meeting of July 17, 2024.**

APPROVE THE MINUTES OF THE SPECIAL MEETING OF August 7, 2024

On the motion of Eric Gould, seconded by Denis Bergeron, it was unanimously voted: **To make a correction that Denis Bergeron was absent from vote and came in late, and to approve the minutes as amended of the regular meeting of August 7, 2024.**

APPROVE THE MINUTES OF THE REGULAR MEETING OF August 21, 2024

On the motion of Eric Gould, seconded by Robert Cavanagh, it was unanimously voted (4 passed, 3 abstained): **To approve the minutes of the regular meeting of August 21, 2024.**

FINANCIAL REPORT UPDATE – Daphne Paulette, MRWA

Daphne complimented the staff on providing the information she needs. Revenues are up \$179,000 versus budget, and \$148,600 from this time last year. Expenses are up \$148,000 over budget due to the UV Plant (\$110,000 vs budget). With regards to revenue versus expenses, stated that we're hanging in there and keeping steady. August financials were not in the packets, 4.32% below budget for payroll through august.

PUBLIC COMMENT - Stephen Beale was in attendance. The Watershed Commission has formulated a comprehensive overview of the septic system inspection program. They want more information on the ordinance content inspections and developed a 5-year plan and are forming a subcommittee of the commission to bring this program to fruition. Evan Cyr was in attendance. Following his introduction, including his daughter, he wanted to inquire about the last time the By-Laws were reviewed. Jason Pawlina pointed out that they were reviewed in 2020 and that there are no requirements for updating By-Laws, but it would be worth revisiting more frequently.

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CONSENT AGENDA ITEMS – On the motion of Jason Pawlina, seconded by Denis Bergeron, it was unanimously voted **To approve the consent agenda items.**

- **Employee safety recognition**
- **Project update**
- **Water Quality Update**
- **Staff Update**
- **Commission Update**

EXECUTIVE SESSION IN ACCORDANCE WITH 1 M.S.R.A. § 405 (6) (E) TO DISCUSS A LEGAL MATTER – Consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency (and) pending or contemplated litigation.

On motion of Eric Gould, seconded by Dan Bilodeau, it was unanimously voted: **To move into executive session to discuss a legal matter.**

The meeting came out of executive session at 6:32pm.

A motion was made by Jeff Harmon, seconded by Denis Bergeron to find Trustee Dan Bilodeau in violation of Article 8 Section 5 of the Auburn Water District By-Laws. Voted and failed 2-3-1, Dan was not permitted to vote.

A motion was made by Jeff Harmon, seconded by Denis Bergeron to find Trustee Dan Bilodeau in violation of Article 8 Section 11 of the Auburn Water District By-Laws. Voted and failed 3-3, Dan was not permitted to vote.

A motion was made by Eric Gould, seconded by Dan Bilodeau to go into executive session in accordance with 1 M.S.R.A. § 405 (6) (E) for the purpose of discussion or consideration of an investigation and/or hearing of complaints relating to the Auburn Water District By-Laws, Article 8 Code of Ethics. It was unanimously voted: **To move into executive session to discuss a legal matter.**

The meeting came out of executive session at 6:56pm.

A motion was made by Dan Bilodeau, seconded by Kevin Arel to find Trustee Jeff Harmon in violation of Article 8 Section 7 of the Auburn Water District By-Laws. Voted and failed 1-5, Jeff was not permitted to vote.

LAKE AUBURN WATERSHED PROTECTION COMMISSION, COMMISSIONER APPOINTMENTS – Superintendent Broadbent asked Trustees to be more clear with

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motions/votes in the future. Significant confusion regarding the votes taken at both the July regular meeting and the August special meeting has left doubt in the effective appointment of commissioner.

A motion was made by Kevin Arel, seconded by Dan Bilodeau, it was unanimously voted: **To appoint Evan Cyr to the AWD at-large seat on the commission.**

A motion was made by Kevin Arel, seconded by Dan Bilodeau, **to appoint Dan Bilodeau as the Trustee Representative to the Commission for a three-year term.**

In discussion, Jeff Harmon reported that as Mayor of Auburn, he is regularly informed of all municipal businesses with Auburn. Mr. Harmon was recently informed that Mr. Bilodeau was found in violation of ordinances within the watershed established to protect the watershed. In 2021, Mr. Bilodeau had filled applications with the city to establish several campsites. At that time, Mr. Bilodeau was advised that he could not establish the sites as requested. In 2024, the city discovered that Mr. Bilodeau went against the advisement of city staff and established the campsites and that he has been advertising and renting the sites since 2021. It is Mr. Harmon's opinion that Mr. Bilodeau should not be put on the commission to represent the District for these reasons. Mr. Harmon warned the Board that this would reflect poorly on the District.

Dan Bilodeau reported that he never received a notice of violation and that there was no disregard to watershed protection rules because he followed state standards. Dan also pointed out that there has been no concern for pollution regarding the campsites on his property. Dan showed a plan that he has updated for his site to include the campsites and the proper phosphorus buffers for the site.

President Jason Pawlina questioned if a formal notice of violation was issued twice and it was confirmed that one had not been.

Denis Bergeron reported that he is still willing and able to serve on the Commission.

A vote was passed 4-3: **To appoint Dan Bilodeau as the Trustee Representative to the Commission for a three-year term.**

TRUSTEE OPEN SESSION – Trustee Robert Cavanagh asked about water quality, Mr. Broadbent reported that the clarity of the lake is exceptional for this time of year. Phosphorous and algae numbers are low.

The Trustees discussed training opportunities for 2025.

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Jason Pawlina is interested in taking comments on the Trustee By-Laws.

On motion of Robert Cavanagh, seconded by Dan Bilodeau, it was unanimously voted: **To adjourn the meeting.**

Respectfully submitted,

Diane Drinkwater

Approved: October 16, 2024

A true record:

Attest: _____



Edward Williams, Clerk