

**WINDHAM WATER POLLUTION
CONTROL AUTHORITY**

MINUTES

December 18, 2012

The Windham Water Pollution Control Authority held its meeting on December 18, 2012 in the Windham Wastewater Treatment Facility Conference Room. Chair Rene Goss called the meeting to order at 6:30 P.M. Members present were: Patti Lein, Stanley Morytko, Rene Goss and Mary Burnore. Also present was Plant Superintendent David Garand.

1) Public Comment

There was no public comment

2) Correspondence

There was no correspondence

3) Approval of Minutes

The minutes of November 27, 2012 were approved on a motion made by Stanley Morytko and seconded by Mary Burnore. The motion carried unanimously.

4) Reports

a) Chairman

The Chair had no report.

b) Plant Superintendent

Plant Superintendent David Garand reported on the following:

Construction

Lakeside: The housing has a split in the stainless steel on the bottom of the tank. A contractor will be brought in to make the necessary repairs. The repair is scheduled for 1/15/13 – 2/15/13. All septage haulers have been notified by mail. Garand added that the repair work is completely under warranty.

Washpactor Warranty Repair. The unit has been returned to Schloss for necessary warranty repair and a spare unit has been installed. The seal is leaking on the spare unit and Scholss has been notified. The repaired unit is scheduled to be received by the end of December, 2012.

Plant Performance

.Aquatic toxicity failed November 7, 2012. Daphnia pulex had a 36% survival and Pimephales promela had 100% survival. It was retested on November 14, 2012 and it passed. It was determined that root treatment applied in the collection system was the cause. DEEP was notified as required, said Garand. He then reviewed the November 2012 Effluent Quality Report.

Administration & Finance

a) Monthly Budget Report. Garand said **revenue** is \$1,524,376. This is 44% of revenue collected with 42% of the year complete. **Expenditures** are \$1,576,900. This is 46% of revenue spent with 42% of the year complete.

b) A/R Aging Summary as of December 14, 2012. Everyone is basically up to date, falling between current and 31-60 days. One hauler is in the 61-90 category, but that is for a very small amount.

c) Significant Non-recurring Expenses. There were none to report.

d) RPM Industries. Garand said we still need to work out the specifics of a potential agreement with RPM Industries. He reviewed an e-mail he sent to Town Manager Neil Beets and Town Attorney Rich Cody. He said representatives from RPM Technologies have agreed to the concept of "In Kind Services" using RPM Common Stock and biodiesel purchases at a reduced rate in exchange for services extended to RPM by WPCA/Town. These services would include rental space, feed stock, and technical expertise. He said he included RPM's Prospectus to the Town Manager and the Town Attorney for review. He said once the review is complete he suggesting meeting (with Town Manager Neil Beets and Town Attorney Rich Cody) to discuss how to move forward, or if moving forward is an option we wish to pursue. He said he views this as a risky venture and wants to make sure that the WPCA out of pocket expenses are minimal and there is an option to end our working relationship at any time. He said after review of the RPM Common Stock Offering he is having second thoughts about being compensated with RPM Common Stock. He said he also has concerns about the 20,000 shares of common stock being authorized and not issued.

He then reviewed a response e-mail from Town Manager Neil Beets. Mr. Beets questioned whether a public entity like RPM Industries and the Town can legally contract to receive common stock in return for use of a public asset. Mr. Beets stated he thought their payment would be a percentage of the biodiesel they produced, and that they would be responsible for getting the biodiesel to us in a useable form.

Mr. Beets stated he doesn't want to be paid based on how a capital market reacts to their process, and how that, in turn, affects their stock price. Mr. Beets added that if payment can't be cash, it ought to be in product, and stated he would not recommend moving forward on an investment theory of compensation.

Garand said we would lose our municipal status if we became an investor in RPM. Perhaps RPM could rent out the space under a 15 year lease. He said the first several months would be rent free and would allow them to fix up the area. He said any lease would have to be approved by our Town Attorney.

Mary Burnore made a motion that the WPCA pursue the idea of providing rental space to RPM Technologies and Patti Lein seconded the motion. The motion carried unanimously.

e) Sewer Facility Hand Tools.

Garand explained that he would like to set up a maintenance shop in the new garage and stock the shop with new hand tools. Since staff has been instructed to take their personal tools home, these tools need to be replaced and will be used exclusively at work, he said. He added that he will look into buying Craftsmen tools and anticipates the cost to purchase the hand tools for the new maintenance shop to be approximately \$5,000. to \$7,000.

Patti Lein made a motion to authorize the Plant Superintendent to purchase hand tools for the new maintenance shop not to exceed \$10,000. and Mary Burnore seconded the motion. The motion carried unanimously.

f) NEWEA Conference

Garand said the NEWEA Conference will be held on January 28, 2013 and stated that he would like to attend the meeting. He said the Lakeside vice president will be there, and this would be a good opportunity for me to meet with him and discuss all the problems that we have had with their equipment. Garand will also be asking Lakeside for an extended warranty to be provided on the septage receiver.

Mary Burnore made a motion for Garand to attend the conference and to spend no more than \$450.00 on expenses. Patti Lein seconded the motion. The motion carried unanimously.

g) Customer Relations

Garand said there were no blockages in our lines through 12/18/2012.

Miscellaneous

Member Patti Lein recommended WPCA chairman Rene Goss send a letter to Town Manager Neil Beets and the Charter Revision committee outlining the WPCA's concern regarding language in the Charter (Chapter VII, subsection VII-4, paragraph 3) . The concern is that the Town Council does not have the authority to arbitrate or overrule the decision of the Town Attorney even when the Town Council seeks an additional legal opinion. The WPCA feels that the Town Council should have the authority to choose the legal opinion they see fit. In addition, the WPCA would like to be identified as being given the same consideration. It is anticipated that Chair Rene Goss will be invited to attend a meeting to discuss this concern.

There being no further business, the meeting was adjourned at 7:30 P.M. The motion was made by Mary Burnore and seconded by Stanley Morytko. So voted.
The next meeting will be on January22, 2013.

Respectfully submitted,

Lillian Murray, Clerk