

**UTILITIES COMMISSION MEETING
JANUARY 12, 2009**

Mayor Bailey called the meeting to order at 7:30 p.m. In attendance were Council Members Harrison C. Bristoll, Jr. Gibson Anthony, Mauritz Stetson and Mabel Mumford-Pautz, Bob Sipes, Utilities Manager, Jennifer Mulligan, Stenographer, and guests.

Mayor Bailey asked if there were any additions or corrections to the minutes of the meeting of December 15, 2008. **Mrs. Mumford-Pautz moved to approve the minutes as submitted, was seconded by Mr. Stetson and carried unanimously.**

Mayor Bailey stated that cash on hand and in the banks was \$773,200.81.

Mr. Sipes stated that the draft renewal for the NPDES Permit (discharge permit for the lagoon) was received. He said that the flow allocation of 9,000,000 gallons per day has not been changed, but the testing responsibilities were quadrupled. He said that if the draft was approved as submitted the laboratory fees will more than double.

Mr. Sipes stated that annual budgeted funds for lab testing were \$50,000.00, including the toxicity and bio-monitoring tests. He said that normal lab fees were approximately \$30,000.00 per year. Mr. Sipes stated that when the permit went into effect, the Utilities Commission would have to budget approximately \$60,000.00.

Mayor Bailey asked why the costs have increased. Mr. Sipes stated that the monitoring has increased for the nutrients (total phosphorus, nitrogen, organic nitrogen, ammonia and nitrates). He said that he anticipated that when the conversion to ENR took place that the testing would occur once a month, but that was not the case.

Mr. Sipes stated that he would like to write a letter asking for a compromise. He said the added expense was almost a penalization for decreasing pollutants. Mr. Sipes stated that MDE wanted testing twice a week. Mr. Sipes stated that he thought more frequent monitoring should be reserved for plants that have problems meeting their discharge permit.

Mr. Sipes stated that in November there was not a single instance where the lab picked up the BOD discharge. He said that the labs could not trace the suspended solids discharge. Mr. Sipes stated that the total nitrogen limit was 4-milligrams per liter and they were at 1.2 milligrams, the phosphorous level limit was .03 and the Town was at .01, noting that the number .01 was used because it was below the detectable level and zeros could not be used in lab results.

Mayor Bailey stated that the entire Utilities Commission would back Mr. Sipes in any letter that he would like to write regarding the proposed requirement for excessive lab testing.

Mr. Sipes stated that nutrient testing did not come into play until the Town entered into the Consent Order, at which time they had to monitor once a month for nutrients. He said that the last permit (before this renewal) also had to monitor once a month and he had anticipated rolling into the same type of permit.

Mr. Sipes stated that both he and Mr. Ingersoll were reviewing the draft permit.

Mr. Sipes stated that laboratory testing was contracted with Atlantic Coast Labs. He said that this was the most economical lab on the East Coast.

Mayor Bailey stated that she would also raise this issue at the Maryland Mayor's Conference in February. Mr. Sipes stated that he would get a cost analysis together for Mayor Bailey.

Mr. Sipes stated that there was a closeout meeting for the lagoon project and said that the project should be completed with all necessary paperwork signed within 30-days.

Mr. Sipes stated that the heating and air conditioning unit was replaced and was a budgeted item.

Mr. Anthony raised a question of an elevated platform near the lagoon for kayaks and canoes and guided tours of the lagoon for educational purposes. Mayor Bailey stated that she and Mr. Ingersoll would discuss this issue further with Mr. Sipes, noting that safety and security of the lagoon would have to come first.

There being no further business, **Mrs. Mumford-Pautz moved for payment of the bills. The motion was seconded by Mr. Stetson and carried unanimously.**

Mrs. Mumford-Pautz moved to adjourn the meeting at 7:45 p.m., was seconded by Mr. Stetson and carried unanimously.

Submitted by:


Jennifer Mulligan
Stenographer

Approved by:

Margo G. Bailey
Mayor