



GARDINER WATER DISTRICT

P.O. Box 586 • Gardiner, Maine 04345 • (207) 582-5500 • Fax (207) 582-3093

August 12, 2004

Mayor Rines and Members of the Gardiner City Council
6 Church Street
Gardiner, Me. 04345

Re: Proposed Revision to District's Charter

Dear Mayor Rines and Members of the Council:

On behalf of the Trustees of the Gardiner Water District, I wanted to make each of you aware of a matter that was recently brought to the attention of our Board by the Towns of Farmingdale and Randolph. Specifically, the governing bodies of these two communities have formally petitioned our Board to consider their request to join the District and participate in the direct election of trustees. We further understand from Pittston officials that the Pittston Board of Selectmen is considering a similar request. Pittston, Randolph, and Farmingdale are three of the four communities served by the Gardiner Water District, with the City of Gardiner being the fourth.

At the July meeting of our Board, which was attended by all three of our trustees, the Board heard from representatives of Farmingdale and Randolph (minutes attached). These representatives expressed a strong desire to have a formal voice on the Board given the large number of residents in their towns receiving service from the District. As it turns out, over 50% of the District's customers actually live in the towns of Farmingdale, Randolph, and Pittston, so the Board took the request seriously and asked the representatives of the towns to solicit formal action from their respective boards of selectmen. The full Board also directed Superintendent Paul Gray to confer with the District's legal counsel regarding legal issues implicated by the request. The Board indicated its intent to revisit the matter again at its August meeting, which was duly noticed.

Last night was our August meeting, and the meeting was attended by representatives from Pittston, Farmingdale, and Randolph. Trustee Jeff Kobrock was unable to attend due to a change in his vacation plans, but at his request, we did not postpone the meeting until his return. We were also joined by our legal counsel, James Cohen of Verrill & Dana, LLP, who provided the Board with a brief legal analysis of the issues involved in a charter change. A copy of his analysis (attached) was provided to each of the Board members in advance of the meeting.

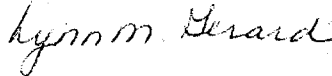
During the meeting, the Board considered the petitions from the governing bodies of Randolph and Farmingdale (attached), which notices had been received by the District in advance of the meeting and then distributed to the Board. These notices formally requested joinder with the District, and elected trustees. The Board also heard from its legal counsel, who further explained the process for modifying the District's charter.

After due consideration, the Board of Trustees voted to proceed with the requests of the towns to pursue an expanded membership base within the Water District, and to pursue direct election of trustees by the residents of the four communities. The Board also expressed its strong desire to work closely with each of the four communities in pursuing this goal. To this end, it might make sense to schedule a joint workshop of the District's Board of Trustees, and the Gardiner City Council, to discuss the key issues involved. We would also very much appreciate your input on the particulars of governance, including size of the board, allocation of representation, and manner of election. Our goal is to gather feedback from each of the communities on these and other matters before proceeding.

Overall, given the steady expansion of the Water District into the three communities outside Gardiner, and given the increasing focus on "regionalism" throughout the State, we felt it was important to take seriously the request made by the communities in our service territory to have representation on our Board. These towns are important members of our regional community, and we felt they deserved a voice on important issues that affect them -- like rates, main extensions, billing policies, and customer service issues. We also felt that the residents of our communities deserved a chance to elect their water district trustees directly. We felt this step would enhance the accountability of trustees to the general public.

Because of the importance of this matter, we wanted to provide you with this background information immediately, and we hope to have a chance to sit down with the City shortly to discuss these matters more fully. As always, we value our relationship with the City of Gardiner, and we would be more than happy to answer questions you may have.

Sincerely,



Lynn Gerard, Chair
Board of Trustees

cc: Board of Trustees
Paul Gray, Superintendent
Dan Alexander, Advisory Comm.
Eugene Proulx, Farmingdale
Gloria Fitzherbert, Randolph
Wanda Burns-Macomber, Pittston]