

**AGENDA**  
**MEETING OF THE BOARD OF TRUSTEES**  
**PORTLAND WATER DISTRICT**  
**225 Douglass Street, Portland, Maine**  
**Jeff P. Nixon Training Center**  
**6:00 p.m., Monday, January 23, 2023**

- |     |  |                                    |
|-----|--|------------------------------------|
| 1.  | <u>Convene Meeting</u> with Pledge of Allegiance and moment of silence.  | President Douglas                  |
| 2.  | <u>Roll Call</u>   | Clerk                              |
| 3a. | <u>Acceptance of Minutes</u> of the Regular Meeting of December 27, 2022.  | President Douglas                  |
| 3b. | <u>Acceptance of Minutes</u> of the Workshop Meeting of January 9, 2023.   | President Douglas                  |
| 4.  | <u>Invitation for Public Comment</u>   | President Douglas                  |
| 5.  | <u>Reports:</u>  |                                    |
|     | ▪ Operations Committee Reports   | Trustee Beck                       |
|     | ▪ Planning Committee Reports   | Trustee Shattuck-Heidorn           |
|     | ▪ Administration & Finance Committee Reports   | Trustee Siviski                    |
|     | ▪ General Manager's Report   | General Manager                    |
| 6.  | <u>New Business</u>  |                                    |
|     | A. <b><u>Order 23-001</u></b> authorizing a contribution of up to \$200,000 to Loon Echo Land Trust for the purchase of a conservation easement.   | Planning Committee                 |
|     | B. <b><u>Order 23-002</u></b> authorizing the adjustment of the Non-Union Salary Structure.  | Administration & Finance Committee |
|     | C. <b><u>Order 23-003</u></b> authorizing a contract renewal with HomeServe USA Corporation.   | Administration & Finance Committee |
| 7.  | <u>Other Business</u> . An item may be added to this agenda provided seven trustees vote to waive the rule regarding agendas.  | President Douglas                  |
| 8.  | <u>Second Invitation for Public Comment</u> .  | President Douglas                  |
| 9.  | <u>Trustee Comments</u> .  | President Douglas                  |
| 10. | <u>Executive Session</u> . A motion may be made to go into Executive Session at any time during the meeting to discuss, pursuant to 1 M.R.S. §405(6)(A) personnel, 1 M.R.S. §405(6)(C) real estate, 1 M.R.S. §405 (6)(D) labor negotiations, or 1 M.R.S. §405(6)(E) legal matters. | President Douglas                  |
| 11. | <u>Adjournment</u> .   | President Douglas                  |

Donna M. Katsiaficas  
Clerk

**Portland Water District**  
**Board of Trustees Regular Meeting**  
**January 23, 2023**

**New Business**

**Agenda Item 6A-6C**



## **BOARD OF TRUSTEES / AGENDA ITEM SUMMARY**

Agenda Item: 6A Order 23-001  
Date of Meeting: January 23, 2023  
Subject: Request for Contribution of up to \$200,000 to Loon Echo Land Trust to Support the Sebago Cove Conservation Project  
Presented By: Carina Brown, Water Resources Specialist  
Chad Thompson, Source Protection Coordinator

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### **RECOMMENDATION**

The following proposed language is presented for Board of Trustee approval:

ORDERED, that the General Manager is authorized to contribute up to \$200,000 to the Loon Echo Land Trust to support the conservation of land known as Sebago Cove located in Naples.

### **BACKGROUND**

The Sebago Lake watershed encompasses 235,000 acres of land which is primarily forested. The long-term water quality of the lake will be determined, in large part, by the conservation of those forests. Our Watershed Land Conservation Policy states our commitment to, and support for, locally-initiated land conservation efforts since conserved forests naturally treat our customers' drinking water. At present, about 16% of the watershed is comprised of conserved land. Working with Sebago Clean Waters partners, we are working to bring that total to 25% by 2032. We are presently about 21,000 acres from that goal.

The Sebago Cove property is 361 acres located in the town of Naples with 2,500 feet of shore frontage on Sebago Lake. Loon Echo Land Trust is purchasing a conservation easement on the Sebago Cove property. The property is forested and contains wetlands and a brook that empties directly into Sebago Lake.

The project is supported by Sebago Clean Waters, a partnership of conservation organizations, land trusts and the Portland Water District committed to water quality protection through forest conservation in the Sebago watershed. Additionally, the project will be funded by the Natural Resources Conservation Service RCPP award.

### **ANALYSIS**

The recommended contribution of \$200,000 is the amount requested by the applicant, which was less than the calculated contribution of \$313,950 using the District's site-specific assessment. The appraised value of the easement is \$1,495,000. The recommended contribution represents about \$554 per acre of protected land within the watershed. The District's contribution is to be used towards the purchase of the easement.

The District contribution of \$200,000 represents nearly 10% of our total projected match towards the RCPP award. Contributions were projected based on staff time and District funds spent on activities that support the goals of the project.

According to the Watershed Land Conservation policy, the details of this project require that the District obtain a real-estate interest. Loon Echo Land Trust will purchase the conservation easement and include in the easement language which names PWD as Third Party Holder of the easement. The Land for Maine's Future Fund will also be a Third Party to the easement.

### **FISCAL REVIEW / FUNDING**

The recommended contribution of \$200,000 was the amount requested by the applicant, Loon Echo Land Trust. Our intent is to borrow from the Drinking Water SRF to make this contribution and issue bonds with a twenty-year term. Because we expect as many as six conservation projects to close in 2023, it may be more fiscally prudent to contribute to this project through a withdrawal from one of our two watershed funds and we propose to use the most favorable option at the time of closing.

On May 24, 2021, the Board authorized issuing bonds up to \$1.4 million for watershed protection easement purchases. To date, bonds of \$500,000 (Crooked River) have been issued and prior commitments to other projects of \$398,000 (Rolfe and Edward Mills) have been made. The remaining amount of the \$1.4 million authorized and available for the proposed project is \$502,000, more than enough to cover the cost of this project.

### **LEGAL REVIEW**

Corporate Counsel has reviewed the proposed Motion and has approved as to form.

### **CONCLUSION(S)**

This property include frontage on Sebago Lake. Conserving the land in its present forested condition will contribute to the long-term protection of Sebago Lake and the recommended contribution meets the guidelines of the District's Watershed Land Conservation Policy. The Committee voted unanimously to forward to the full Board for their consideration.

### **ATTACHMENT(S)**

Sebago Cove Report



# PORTLAND WATER DISTRICT

## *Land Conservation Program*

### *Site-Specific Assessment*



## **Sebago Cove Property**

### Naples, Maine

*Report prepared by PWD's Environmental Services Department  
December 20, 2022*



# Sebago Cove Property Site Walk

## Site Visit

Brie Holme and Carina Brown

12/5/2022

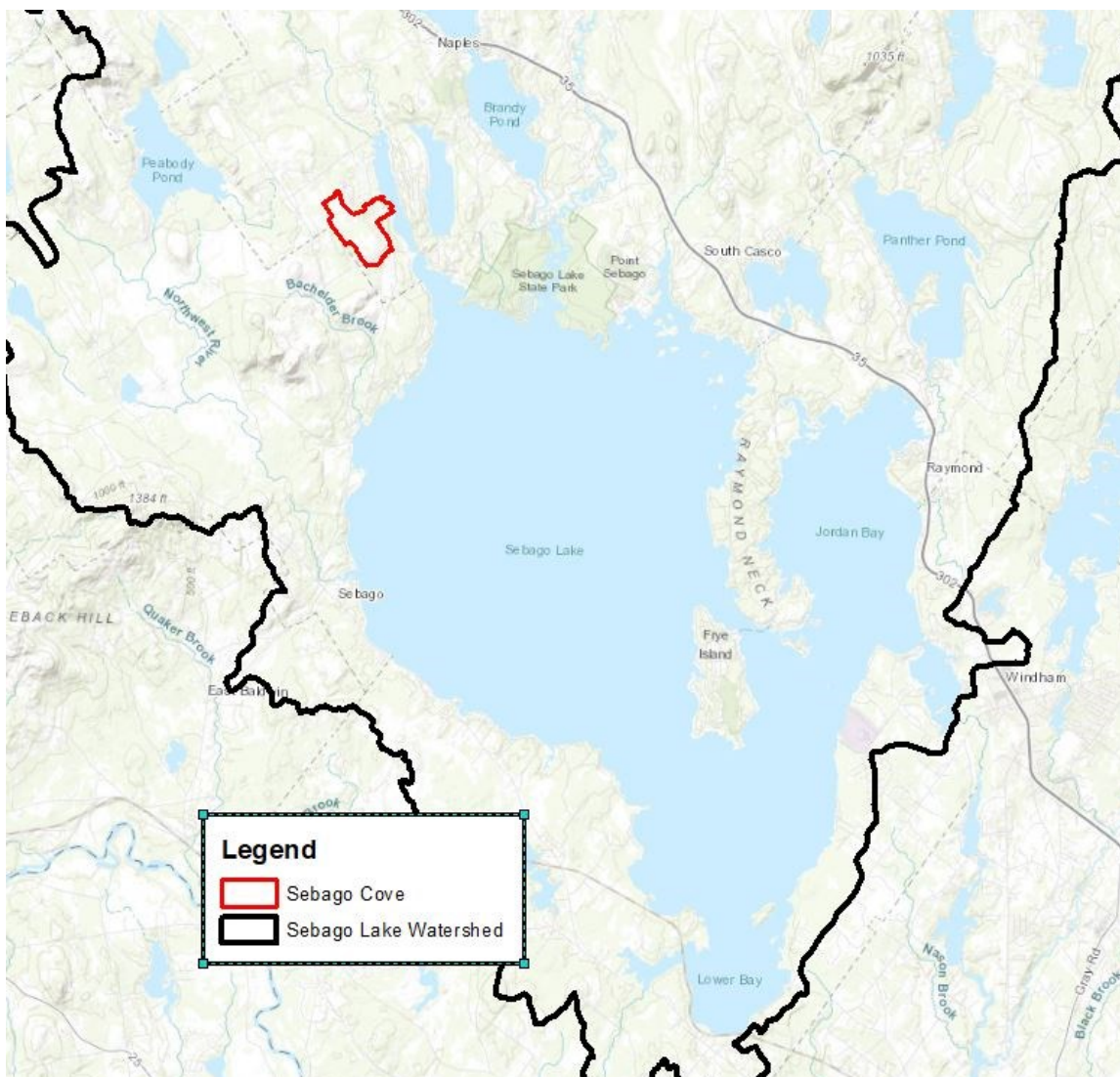
## Description

The Sebago Cove project is comprised of one 361-acre parcel with 2,500 feet of undeveloped shoreline on Sebago Lake in Naples. The property will be protected with a conservation easement held by Loon Echo Land Trust. The easement will guarantee public access for low-impact, non-motorized recreational use including hunting, fishing, swimming, and hiking. If this forested land is not conserved, there is a high risk of development as subdivision plans have been submitted to the ME Department of Environmental Protection. A subdivision on the adjacent parcel has seen significant development activity over the past three years as Sebago lake waterfront and ROW lots were developed. The town of Naples has provided a letter of support for the Sebago Cove Conservation Easement Project.

## Site Features

### Location

The property is located in Naples.



Sebago Cove Property Location map



## Sebago Cove Property Site Walk

### *Water Resources*

In addition to having 2,500 feet of shoreline on Sebago Lake, the property has three wetlands covering thirteen acres and 2,800 feet of stream channel that all drain to Sebago Lake.



Sebago Lake frontage



Wetland



*Connection to Sebago Lake*

The project is located on the shore of Sebago Lake, in the Sebago Cove area of the Lake. All of the property's wetlands and streams drain into Sebago Lake.



Stream connecting wetland to Sebago Lake



## Sebago Cove Property Site Walk

### *Land Use/Land Cover*

The land is entirely forested and is located less than one mile from a large area of conserved land, over 1,700 acres, that includes LELT-owned Tiger Hill Community Forest and the Cold Rain Pond State Wildlife Management Area. Wildlife habitat includes 7 acres of deer wintering areas and 8 acres of inland waterfowl and wading bird habitat in the northwest corner of the property, according to the Maine Department of Inland Fisheries and Wildlife Beginning with Habitat dataset. In total, the parcel includes 22.9 acres of above average land for water quality and biodiversity in the Sebago Lake watershed according to the Sebago Clean Waters Mapper. According to The Nature Conservancy's Resilient Lands Mapper, 149 acres of the property are slightly above average or above average in climate resilience, reflecting the land's predicted ability to maintain species diversity and ecological function in a changing climate. In addition, 332 acres are slightly above average or above average land for climate connectivity and flow, indicating the land's ability to foster species' movements and range shifts as the climate changes.

The habitat types are predominantly pine-oak forest and hemlock-northern hardwood forest. Recent forest management has consisted of selective harvesting in the winter of 2012-13 and 2014-15 to encourage species and age class diversification, which followed a larger timber harvest in 2010. No clearcuts were found.

Currently, public access is limited to hunting and fishing. There are no existing trails or recreational infrastructure, but the local snowmobile club has utilized the land in the past. LELET will enhance the currently limited public access to Sebago Lake by developing a non-motorized trail to Sebago Cove in addition to encouraging community recreation through low-impact activities such as hiking, hunting, and fishing.



Partial cut harvest



Partial cut harvest

## Site-Specific Property Assessment

**Property Name:** Sebago Cove

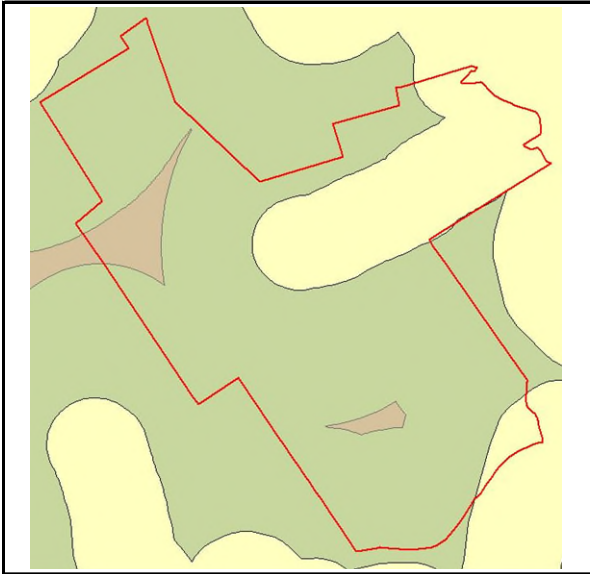
**Area (acres):** 361

**Location:** Naples

**Land Trust:** LET

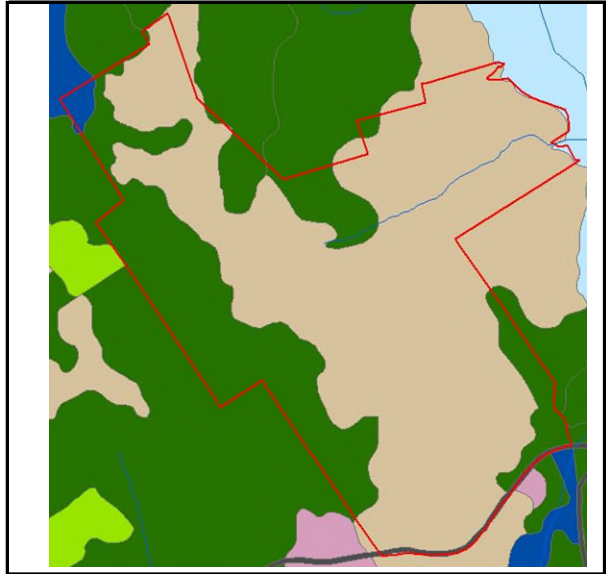
**Description:** 2500 ft. of frontage on Sebago Cove (Sebago Lake)

**Waterbodies map**



	acres	percent
Within 500 ft.	83	23
Within 500 - 1500 ft.	262	73
Beyond 1500 ft.	16	4

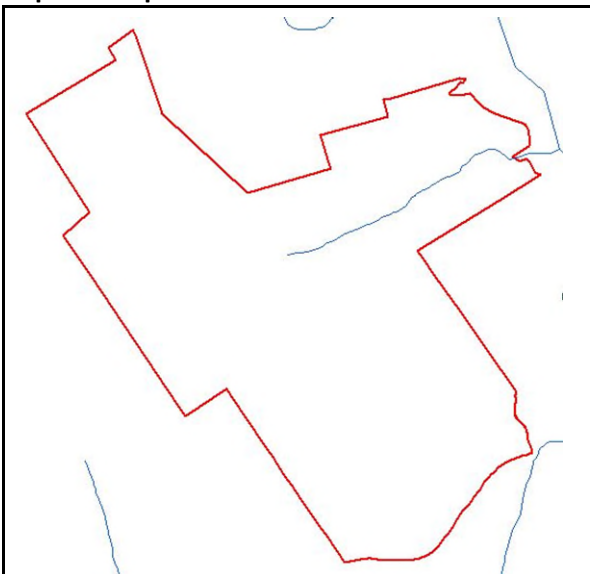
**Land cover map**



Forest cover	356	acres
	99	percent

Reforestation of the partial cut (light brown) areas have been verified by aerial imagery and a site walk.

**Aquifer map**



Sig. sand and gravel aquifers	0	acres
	0	percent

**Wetlands map**



Mapped wetlands	13	acres
	4	percent

## Site-Specific Property Assessment

Property Name: Sebago Cove

Appraised Value of Fee or Easement

\$1,495,000

### Factors

25% or more in direct Sebago Lake watershed?  add  %

25% or more within 500 ft. of a waterbody?  add  %

25% or more within 1500 ft. of a waterbody?  add  %

100 ft. or more of frontage on a waterbody?  add  %

50% or more forested?  add  %

20% or more with mapped wetlands?  add  %

10% or more sign. sand and gravel aquifers?  add  %

25% or more in a shoreland town?  add  %

Likely to be developed?  add  %

Other (explain) - maximum of 3%

add  %

1. Public trails plans

2. Town of Naples letter of support

3. Inland Waterfowl and Wading Bird Habitat

Calculated contribution (percent) - maximum 25%

%

Calculated contribution

Amount requested

Recommended contribution (dollars)





Portland Water District  
*From Sebago Lake To Casco Bay*

## **BOARD OF TRUSTEES / AGENDA ITEM SUMMARY**

Agenda Item: 6B Order 23-002  
Date of Meeting: January 23, 2023  
Subject: Non-Union Salary Range and Market Adjustments  
Presented By: Mary Demers, Director of Employee Services

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### **RECOMMENDATION**

The following proposed language is presented for Board of Trustees approval:

ORDERED, the Non-Union Salary Structure, in substantial form as attached hereto, is hereby adopted to become effective January 1, 2023.

### **BACKGROUND ANALYSIS**

The Board adopted the current policy on non-union compensation in 2022. The policy notes “The minimum and maximum pay levels established for each band will remain in effect until the next salary structure review. Generally, a review of adjustments for inflation occurs every two years.” The bands were adjusted as of January 1, 2022. Because of the unusual high inflation in the past year, staff recommends the bands be adjusted for January 1, 2023. This affects only the pay scale, not employee compensation. The proposed adjustment was recommended by KMA Human Resources Consulting. If the proposed adjustment to the bands is approved, all eligible employees will receive the full annual pay adjustment that was included in the Board-approved 2023 Budget.

### **FISCAL REVIEW / FUNDING**

Adoption of the revised salary structure will not have the effect of increasing employee compensation; it will simply change the pay range allowable for each position.

### **LEGAL REVIEW**

Corporate Counsel reviewed the proposed motion and approved it as to form.

### **CONCLUSION(S)**

Administration and Finance Committee reviewed at their December 12, 2022 meeting and unanimously recommended to forward to the full Board for its consideration. The item was reviewed and discussed at the Board’s January 9, 2023 Workshop meeting. It was requested to amend the proposed pay band amounts to more closely align with a 4% adjustment by rounding the maximum and minimum amounts to the nearest \$100’s. It was decided to schedule the item for a Board vote at the January 23, 2023 meeting.

### **ATTACHMENT(S)**

Attachment A: Proposed Salary Structure to become effective January 1, 2023.

	MINIMUM	MAXIMUM
<b>Grade 8</b>	<b>\$160,200</b>	<b>\$218,400</b>
	General Manager 9018	
<b>Grade 7</b>	<b>\$126,900</b>	<b>\$171,600</b>
	Corporate Counsel 9035	
	Executive Director of Administration 9004	
	Executive Director of Asset Management/Planning 9005	
<b>Grade 6</b>	<b>\$106,100</b>	<b>\$145,600</b>
	Director of Employee Services 9007	
	Director of Operation Services, Water 9011	
	Director of Operation Services, Wastewater 9011	
	Engineering/Asset Mgmt Services Manager 9031	
<b>Grade 5</b>	<b>\$83,200</b>	<b>\$124,800</b>
	Customer Services Manager 9006	
	Director of Financial Services 9008	
	Distribution System Manager, Water 9014	
	Environmental Services Manager 9020	
	Information Services Manager 9010	
	Strategic Project Manager 9047	
	Senior Project Engineer 9045	
<b>Grade 4</b>	<b>\$77,000</b>	<b>\$115,400</b>
	Database Administrator 9027	
	Network Administrator III 9026	
	Project Engineers 9030	
	Public Relations Manager 9025	
	Regulatory & Security Advisor 9028	
	Right of Way Agent 5014	
	Utility Asset Coordinator 9038	
	Utility Asset Coordinator Water 9039	
	Wastewater Chief Operator - Plant 9042	
	Wastewater Chief Operator - Systems 9050	
	Wastewater Maintenance Manager Planner Scheduler 9048	
	Water Services Plant/System Chief Operator 9002	
<b>Grade 3</b>	<b>\$70,700</b>	<b>\$103,000</b>
	Asset Manager Program Manager 9049	
	Business System Analyst GIS, Senior 9505	
	Business System Analyst, Senior 9504	
	Chief of Security Operations 1069	
	Customer Service Program Manager 9502	
	Facilities Manager 5019	
	Industrial Pretreatment Program Supervisor 5035	
	Network Administrator II-9044	
	Source Protection Coordinator 5018	
	Transmission/Distribution Supervisor 5011	
	Utility Specialist Supervisor 9023	
	Water Quality Program Manager 9506	
<b>Grade 2</b>	<b>\$60,300</b>	<b>\$88,400</b>
	Associate Engineer 5023	
	Employee Services Consultant 5036	
	Employee Services Consultant Safety/Training 5004	
	Employee Services Consultant-Benefits 5003	
	Environmental Education Coordinator 5017	
	Financial Analyst 5020	
	Purchasing Agent/Buyer 5005	
	Scheduler/Coordinator-AMaP 5032	
	Scheduler/Coordinator-Operations 5033	
	Network Admin I 9503	
<b>Non-Exempt</b>	<b>\$51,000</b>	<b>\$71,800</b>
	General Accounting Assistant 5028	
	Executive Administrative Assistant 5010	



## **BOARD OF TRUSTEES / AGENDA ITEM SUMMARY**

Agenda Item: 6C Order 23-003  
Date of Meeting: January 23, 2023  
Subject: Service Line Warranty Program Contract Renewal  
Presented By: David M. Kane

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### **RECOMMENDATION**

The following proposed language is presented for Board of Trustee approval:

**ORDERED**, the contract with HomeServe USA Corporation to provide a water and wastewater line warranty program is hereby extended for a period of three years according to the same terms as the present contract with the District.

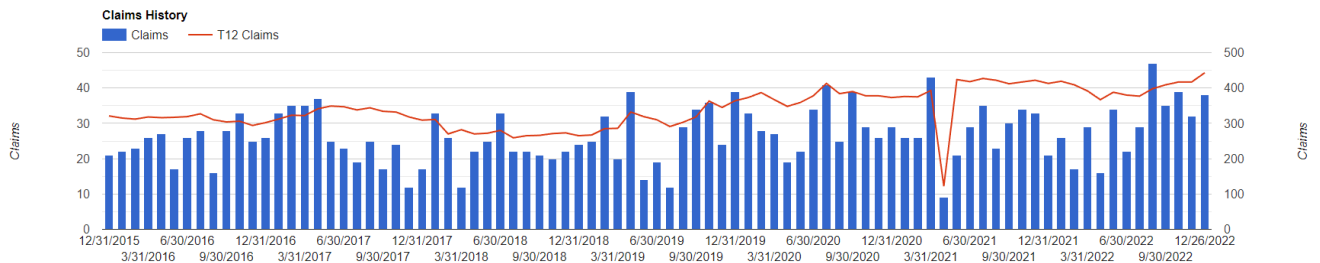
### **BACKGROUND**

Since 2006, the District has partnered with HomeServe (formerly Home Service USA) to provide an optional, customer paid warranty program. The program currently provides financial assistance for water lines, sewer lines and internal plumbing. Currently, the number of customers participating in the program is 8,904. The current monthly fees for the program are listed below:

Water Service line	\$5.99
Sewer Service line	\$7.99
Internal Plumbing	\$9.99

Unlike most HomeServe partners, the District chose not to receive a portion of the fee charged to customers and instead the customer's fee is reduced by 5%. HomeServe has reported that 4,182 customers have received over \$3.6M in benefits from the program.

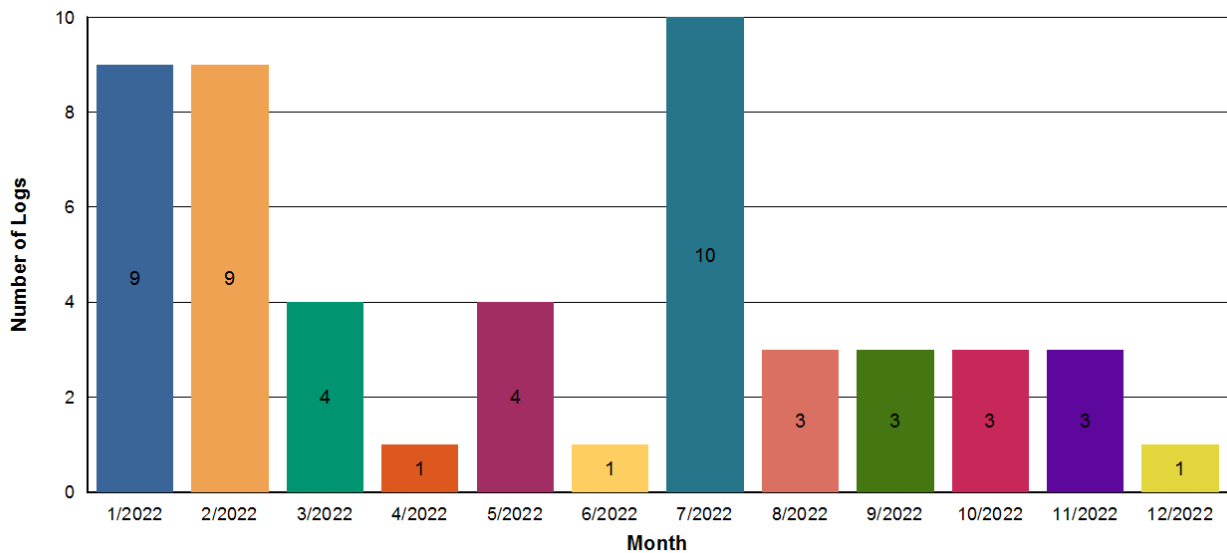
The District provides HomeServe with a list of current customers and their address. After reviewing and approving the letter to be sent to the customers, HomeServe sends out an introductory letter to customers noting the availability of the program.





### **FISCAL REVIEW / FUNDING**

The District is not charged to provide the program. HomeServe remits \$200 per month to cover the administrative costs of providing customer information. On average, the District received 10 or less contacts per month from customers in the past year. Most customer contacts are either related to verifying whether HomeServe is a legitimate organization or to obtain general program information. Customers are referred to HomeServe for detailed information and program registration.



### **LEGAL REVIEW**

Corporate Counsel reviewed the proposed motion and approved it as to form.

### **CONCLUSION(S)**

Staff recommends that the proposed motion be forwarded to the full Board for their consideration. The Committee unanimously voted to forward to the full Board for their consideration.

### **ATTACHMENT(S)**

A. Historical Summary (see Attachment A)

## **Historical Background**

In 2005, the Administration and Finance Committee considered several proposals designed to assist the District's customers with the expense of replacing or repairing water and sewer lines. After reviewing the options, the Committee selected Home Service USA to provide the service. At two Board workshops, the Board reviewed and provided feedback on the program specifics. Based on the Board's involvement, the following provisions were added to the contract:

- All customer contacts and documents must be approved by the District and mandate compliance with a 'do not mail list' for customers who do not want to be contacted regarding the program;
- Wastewater coverage includes all costs, including street opening fees;
- Monthly fee reduced by 5% by waiving the District's commission, and
- The program would be offered only to municipalities where the District provides water or wastewater service.

The Board approved the following motion at their May 2006 meeting:

ORDERED, to authorize the general manager to execute a contract with Home Service USA Corporation to provide a water and wastewater line warranty program, subject to the Public Utilities Commission's approval of the terms and condition allowing a water service line warranty program.

The District signed a 5-year contract running until 2011. The water line program was offered to customers beginning in September 2006. The cities of Westbrook and Portland and town of the Cumberland requested that we offer the sewer line program with the first mailing during the summer of 2007. Cape Elizabeth, Falmouth, Gorham, Scarborough, South Portland and Windham requested that their residents be allowed to participate in the sewer line program in 2010.

At its December 10, 2007 workshop, the Board reviewed the letters sent to customers and requested that the letters clearly indicate the program is being offered by Home Service, and requested that frequency of letters be reduced. Also, the Board requested that the sewer line coverage be expanded, which was agreed to by Home Service.

At its October 5, 2009 meeting, the Administration and Finance Committee further reviewed the letters and requested the following changes:

- Renewal letter should be sent by Home Service in an envelope with the District's logo. This will encourage customers to open the letter.
- The renewal letter should not contain the District's logo and the return address should not include the District's name.
- The introduction letter should contain both the District and Home Service logo.
- The intro letter needs to explain PWD is waiving the 5% fee, normally paid to Home Service partners for the use of the utility's mailing list, to reduce the rate our customers pay for the Home Service product.

- Trustee Lunt requested a price for Home Service to offer the drainage product from the house to the property line only (same as water service product).

The requested changes were incorporated into the letters. Home Service created a separate sewer line product and began offering in 2010. The Board voted to extend the contract for an additional 2 and 3 years, respectively, in 2011, 2013, 2016 and 2019.