

AGENDA
PORTLAND WATER DISTRICT
225 Douglass Street, Portland, Maine
Jeff P. Nixon Training Center
6:00 p.m., Monday, October 22, 2018

1. Convene Meeting with Pledge of Allegiance and moment of silence. President Lunt
2. Roll Call Clerk
3. Acceptance of Minutes of the Regular Meeting of August 27, 2018, and the Workshop Meetings of September 17, 2018 and October 9, 2018. President Lunt
4. Invitation for Public Comment President Lunt
5. Reports:
 - Operations Committee Reports Trustee Siviski
 - Planning Committee Reports Trustee Levinsky
 - Administration & Finance Committee Reports Trustee Willey
 - General Manager's Report General Manager
6. New Business
 - A. **Public Hearing** regarding an amendment to an existing bond. Administration and Finance Committee
 - B. **Resolution 18-009** authorizing an amendment to the \$12 million bond issued to finance the aeration system and related infrastructure at the East End Wastewater Treatment Plant. Administration and Finance Committee
 - C. **Order 18-031** authorizing the design build method of procurement for engineering services for the East End WWTF Effluent Flow Meter Replacement and Headworks Channel Modifications. Operations Committee
 - D. **Order 18-032** authorizing an easement swap with the City of South Portland. Planning Committee
7. Executive Session. 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 Lunt
8. Other Business. An item may be added to this agenda provided seven trustees vote to waive the rule regarding agendas. President Lunt
9. Second Invitation for Public Comment. President Lunt
10. Trustee Comments. President Lunt
11. Adjournment. President Lunt

Donna M. Katsiaticas
Clerk

Portland Water District
Board of Trustees Regular Meeting

October 22, 2018

New Business

Agenda Items 6A-6D



Portland Water District
From Sebago Lake To Casco Bay

BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 6A-6B Resolution 18-009
Date of Meeting: October 22, 2018
Subject: Wastewater Bond
Presented By: David Kane, Director of Administration

RECOMMENDATION

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

RESOLVED, Resolution 15-005, which authorized the issuance of a \$12 million bond to finance an aeration system and related infrastructure at the East End Wastewater Treatment Plant, is hereby amended to expand the scope of the original project to be financed to include upgrades to the Fore River Pump Station in Portland, Maine. The full form of the Resolution attached hereto is hereby approved and shall be attached to and incorporated as part of the minutes of this meeting.

BACKGROUND ANALYSIS

The aeration system at the Portland's East End Treatment plant was upgraded and financed through the issuance of 3 different bonds totaling \$10.9 million. The bonds were financed through the Maine Clean Water Drinking Program's State Revolving Loan program. The actual net project costs totaled approximately \$10.65 million. It is proposed to use the remaining \$250,000 of bond proceeds to partially finance the Fore River Pump Station upgrade, which is currently underway and is approved for the state revolving loan fund. The Fore River Pump Station upgrade was approved as part of the 2017 Capital Improvement Plan with a total budget of \$2.5 million.

FISCAL REVIEW / FUNDING

Bonds totaling \$10.9M were included in the 2018 budget so the proposed motion has no financial impact. The planned 2019 bond of \$2.5M will be reduced by \$250,000. The change will reduce Portland Wastewater Fund's debt service by \$15,000.

LEGAL REVIEW

Corporate Counsel has reviewed the proposed Resolution as to form.

CONCLUSION(S)

Staff recommends the motion be approved. The Committee voted unanimously to forward to the full Board for approval.

ATTACHMENTS

A. Full Form of Motion

**PORTLAND WATER DISTRICT
RESOLUTION OF BOARD OF TRUSTEES
Amending Resolution 15-005**

WHEREAS, on March 23, 2015, Board of Trustees of the Portland Water District (the “District”) adopted Resolution 15-005 (the “Original Resolution”) authorizing up to \$12,000,000 of the District’s sewer bonds to finance an aeration system and related infrastructure at the East End Wastewater Treatment Plant in Portland, Maine (referred to as the “Original Project”); and

WHEREAS, pursuant to the Original Resolution, the District has previously issued \$10.9 million of its sewer bonds (the “Prior Bonds”) to finance the costs of the Original Project; and

WHEREAS, the Original Project is now expected to come in under budget leaving unspent bond proceeds of approximately \$250,000 and the Board of Trustees desires to amend the Original Resolution to amend the scope of the Original Project to be financed with the proceeds of the Prior Bonds to include upgrades to the Fore River Pump Station in Portland, Maine;

NOW THEREFORE, BE IT HEREBY RESOLVED by the Board of Trustees of the Portland Water District (the “Board”) Assembled:

THAT: That the description of the Original Project in the Original Resolution be and hereby is amended to include the costs to finance upgrades to the Fore River Pump Station in Portland, Maine (the “Additional Project”), which Additional Project is expected to cost approximately \$2.5 million, to be financed with the unspent proceeds of the Prior Bonds and in part with additional sewer bonds expected to be authorized and issued by the District;

THAT: The Treasurer be, and hereby is, authorized and empowered in the name and on behalf of the District, to do or cause to be done all such acts and things, and to execute and deliver, all such financing documents, certificates, and other documents as may be necessary or advisable, with the advice of counsel for the District, to carry out the provisions of these Resolutions, as may be necessary or desirable.

THAT: In all other respects the Original Resolution be and hereby is confirmed and ratified as if more fully set forth herein, and remains in full force and effect.



Portland Water District
From Sebago Lake To Casco Bay

BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 6C Order 18-031
Date of Meeting: October 22, 2018
Subject: East End WWTF (EEWWTF) Effluent Flow Meter Replacement and Headworks Channel Modifications – Professional Services Contract – Engineering Method Approval
Presented By: Gordon Johnson, Engineering Services Manager

RECOMMENDATION

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

ORDERED, that the Design-Build Method is authorized for the procurement of engineering services for the EEWWTF Effluent Flow Meter Replacement and Headworks Channel Modifications (CIP Projects 2108 – 21/2046, 2153, 2583), pursuant to the District’s Purchasing Policy, and that the General Manager and the Treasurer, each acting singly, are authorized to take such other steps as may be necessary to accomplish the intent of this vote.

BACKGROUND ANALYSIS

Pursuant to the District’s purchasing policy, staff is seeking approval from the Board of Trustees to procure engineering services (design-build method) for the design and construction of upgrades to the effluent flow meter and influent screening channels at the East End WWTF.

The effluent flow meter has been in service for 29 years and is at the end of its service life. As part of replacement of the flow meter, this project will install a piping connection to facilitate future isolation of the secondary side disinfection system. The influent channel modifications will provide emergency overflow to be contained below the headworks operating floor by providing concrete cutouts and weirs between the channels.

Once the Method is approved, staff will issue a request for proposals. It is expected that a recommendation will be offered to the Board at the April 2019 meetings.

FISCAL REVIEW/ FUNDING

The project was included in the 2018 CIP, Subprogram 21 projects 2046, 2153, and 2583.

LEGAL REVIEW

Corporate Counsel has reviewed and approved the form of motion.

CONCLUSION(S)

Staff recommends that the design-build engineering method be utilized for design and construction of this project. The Committee voted 2-0 to send to the full Board for their consideration.

ATTACHMENT(S)

None



Portland Water District
From Sebago Lake To Casco Bay

BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 6D Order 18-032
Date of Meeting: October 22, 2018
Subject: Easement Swap – City of South Portland
Presented By: Norman Twaddel, Right of Way Agent

RECOMMENDATION

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

ORDERED, the General Manager is authorized to execute a release deed to the City of South Portland releasing PWD's rights in property on O'Neil Street in South Portland in exchange for a new easement deed for the portion of water main and public hydrant located beyond the end of O'Neil Street on South Portland land; and

BE IT FURTHER ORDERED, that the General Manager and the Treasurer, each acting singly, are authorized to take such other steps as may be necessary to accomplish the intent of this vote.

BACKGROUND ANALYSIS

The former City Public Works facility is located on O'Neil Street in South Portland. A portion of that City land was sold to the City by the District in 1955. The District land was a former gravel pit. In the deed to the City, the District reserved the right to take gravel from the property. The property has not been used by the District for many years and now has a building on it. The District's right to take gravel was never terminated. The City now plans to sell the property for development and needs to have the District's right to remove gravel released.

In reviewing the issue, it was discovered that the District's public main in O'Neil Street extends beyond the end of the public street into the City's land with a public hydrant at the end. The District has requested an easement from the City to be able to continue operating and maintaining that main in exchange for the release deed.

FISCAL REVIEW / FUNDING

The proposed easement swap will not involve any cash payments to the owner.

LEGAL REVIEW

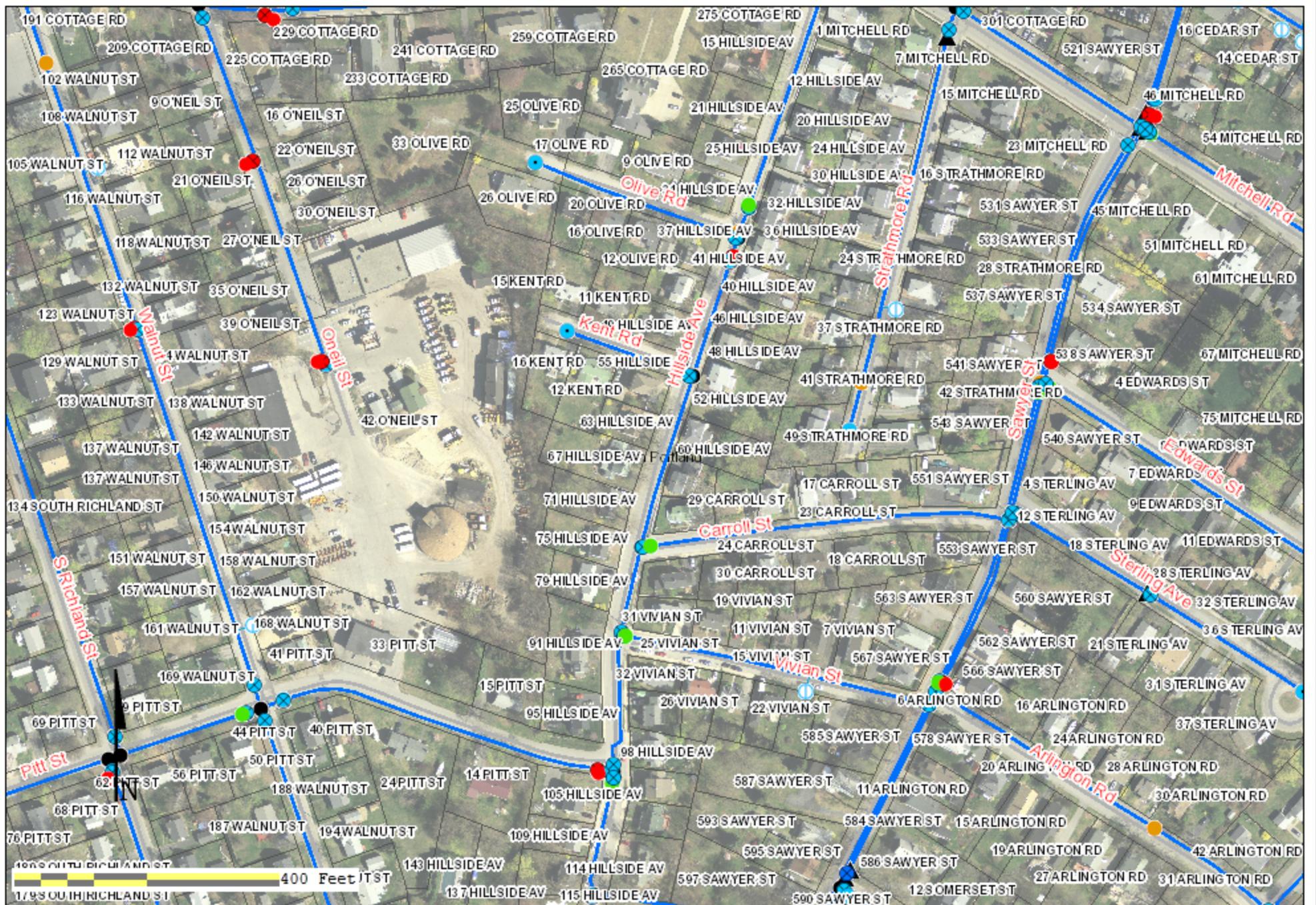
Corporate Counsel will review the proposed deeds prior to execution.

CONCLUSION(S)

Staff recommends that PWD proceed with the proposal described above. The Committee voted unanimously to send to the full Board for their consideration.

ATTACHMENT(S)

Map
Deed



O'Neil Street SP

August 15, 2018

REFER TO QC 2207-362

CITY OF S^O PORTLAND TO PWD

RIGHT TO TAKE GRAVEL

ALSO QC 2207-273

CITY OF S^O PORTLAND TO PWD

R/W ACROSS LOT #12 TO GRAVEL PIT

THIS PARCEL IS PORTION OF LAND
CONVEYED TO STANDISH WATER & CONSTR CO
BY EPHRAIM DYER 601-137

SALE O'NEIL ST.

(COPY)

Quit-Claim
CORPORATION — WITH COVENANT

FROM

PORTLAND WATER DISTRICT

TO

CITY OF SOUTH PORTLAND

Dated January 24 1955

State of Maine,

ss. Registry of Deeds

Received JAN 24 1955
at 1 H, 35 M, P M., and

recorded in Book 2207 Page 272

ATTEST:

REGISTER

FROM THE OFFICE OF

Verrill Dana Walker Philbrick
& Whitehouse

NO. 104 ROBERTS OFFICE SUPPLY COMPANY
PORTLAND — MAINE — LEWISTON

Know all Men by these Presents

That PORTLAND WATER DISTRICT,

a Corporation organized and existing under the laws of the State
of Maine and located at Portland
in the County of Cumberland and State of Maine
in consideration of One Dollar (\$1.00) and other valuable considera-
tions ~~(total consideration being less than \$100)~~

paid by CITY OF SOUTH PORTLAND, a public municipal corporation
organized and existing under the laws of the State of Maine and
located at South Portland in the County of Cumberland and State
of Maine

the receipt whereof it does hereby acknowledge, does hereby ~~release,~~
~~release, bargain, sell and convey,~~ and forever ~~quit-claim~~
CITY OF SOUTH PORTLAND, its successors

~~quit-claim~~ and assigns forever,

a certain lot or parcel of land situated in said South Portland on
the Easterly side of O'Neil Street, so-called, and more particularly
bounded and described as follows, viz: Beginning at an iron set
in the ground in the Easterly side line of said O'Neil Street at
the Southwesterly corner of Lot numbered 12 as shown on Plan of
Bramhall Realty Company recorded on September 17, 1923, in Cumber-
land County Registry of Deeds in Plan Book 15, Page 40; thence
Easterly along the Southerly side line of said Lot numbered 12, one
hundred twenty-five (125) feet, more or less, to the Southeasterly
corner thereof; thence with an excluded angle of 90° Northerly
along the Easterly side line of said Lot numbered 12, fifty (50)
feet, more or less, to the Northeasterly corner thereof; thence
with an included angle of 90° Easterly by other land of the Grantor
fifty (50) feet; thence with an included angle of 90° Southerly
by other land of the Grantor ninety-one and five hundredths (91.05)
feet, more or less to other land of the Grantee; thence with an
included angle of 96° 26' Westerly by said other land of the Grantee
thirty and eighteen hundredths (30.18) feet, more or less; thence
with an included angle of 180° 53' Westerly by said other land of the
Grantee one hundred forty-six and two tenths (146.2) feet, more or
less, to said Easterly side line of O'Neil Street; thence with an
included angle of 82° 41' Northerly along said Easterly side line
of O'Neil Street sixty-three and five hundredths (63.05) feet,
more or less, to the point of beginning. Containing 11, 937 square
feet, more or less.

Excepting and reserving, however, to the Grantor, its success-
ors and assigns, the right perpetually to enter upon that portion
of the above described premises, being a strip of land fifty (50)
feet in width, lying Easterly of the Easterly side line of said lot
numbered 12 and the Southerly projection of the Easterly side line
of said Lot numbered 12, and to remove sand and gravel therefrom
as the Grantor may see fit to a depth not lower than the present
grade of said O'Neil Street.

To have and to hold the same, together with all the privileges and appurtenances thereunto belonging, to it the said CITY OF SOUTH PORTLAND, its successors.

~~Heirs~~ and Assigns forever.

And the said Grantor Corporation does covenant with the said CITY OF SOUTH PORTLAND, its successors

~~Heirs~~ and Assigns, that it will Warrant and Forfeiture Defend the premises to it the said Grantee, its successors

~~Heirs~~ and Assigns forever, against the lawful claims and demands of all persons claiming by, through, or under it.

In Witness Whereof, the said PORTLAND WATER DISTRICT,

has caused this instrument to be sealed with its corporate seal and signed in its corporate name by Herman Burgi, Jr.,

, its Treasurer

thereunto duly authorized, this 24th day of January in the year one thousand nine hundred and fifty-five.

Signed, Sealed and Delivered in presence of

PORTLAND WATER DISTRICT

/s/ Edward T. Gignoux

By/s/ Herman Burgi, Jr.
Its Treasurer
(Corporate seal)

(CORPORATE SEAL)

State of Maine, }
Cumberland } ss.

January 24 1955 .

Personally appeared the above named Herman Burgi, Jr., Treasurer of said Grantor Corporation as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of said corporation.

Before me

/s/ Edward T. Gignoux
Justice of the Peace