

**AGENDA
 BOARD OF TRUSTEES
 PORTLAND WATER DISTRICT
 225 Douglass Street, Portland, Maine
 Jeff P. Nixon Training Center
 6:00 p.m., Monday, December 16, 2019**

- | | | |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| 1. | <u>Convene Meeting</u> with Pledge of Allegiance and moment of silence. | President Cote |
| 2. | <u>Roll Call</u> | Clerk |
| 3. | <u>Inauguration</u> for the Trustee representing Westbrook elected on November 5, 2019. | Clerk |
| 4. | <u>Acceptance of Minutes</u> of Regular Meeting of November 25, 2019, and the Workshop Meeting of December 9, 2019. | President Cote |
| 5. | <u>Invitation for Public Comment</u> | President Cote |
| 6. | <u>Reports:</u> | |
| | ▪ Operations Committee Reports | Trustee Siviski |
| | ▪ Planning Committee Reports | Trustee Lunt |
| | ▪ Administration & Finance Committee Reports | Trustee Garrison |
| | ▪ General Manager's Report | General Manager |
| 7. | <u>New Business</u> | |
| | A. <u>Resolution 19-021</u> awarding the Water Bottle Filling Station Grants. | President Cote |
| | B. <u>Order 19-040</u> authorizing actions related to the 3 rd Floor HVAC Upgrades Project for the East End WWTF. | Operations Committee |
| | C. <u>Order 19-041</u> authorizing a contribution to the Western Foothills Land Trust for property located in the Town of Waterford. | Planning Committee |
| | D. <u>Order 19-042</u> authorizing a land swap between the District and Thomas Smillie for property that is located in Gorham. | Planning Committee |
| 8. | <u>Other Business.</u> An item may be added to this agenda provided seven trustees vote to waive the rule regarding agendas. | President Cote |
| 9. | <u>Second Invitation for Public Comment.</u> | President Cote |
| 10. | <u>Trustee Comments.</u> | President Cote |
| 11. | <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 Cote |

12. Adjournment.

President Cote

Donna M. Katsiaficas
Clerk

Portland Water District
Board of Trustees Regular Meeting
December 16, 2019

New Business
Agenda Items 7A-7D



Portland Water District
From Sebago Lake To Casco Bay

BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 7A Resolution 19-021
Date of Meeting: December 16, 2019
Subject: Water Bottle Filling Station Grant Awards
Presented By: Michelle Clements

RECOMMENDATION

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

BE IT RESOLVED, that the Board of Trustees hereby awards the following Water Bottle Filling Station Grants for the installation year of 2020:

Windham Christian Academy	Windham, ME	Retro
Mason-Motz Activity Center	Falmouth, ME	Retro
Falmouth High School	Falmouth, ME	Stand Alone
The Governor Baxter School of the Deaf	Falmouth, ME	Stand Alone
Apex Racket and Fitness	Portland, ME	Stand Alone

BACKGROUND

In 2013, the Board of Trustees authorized the development of the Water Bottle Filling Station Grant program and subsequent funding not to exceed \$7,000 annually for water bottle filling equipment. Annually, the Portland Water District awards water bottle filling station grants - maximum value of \$5,000 for outdoor units, \$2,000 for internal units, and \$650 for retrofits - to entities within the service territory.

This year, ten applications were received for water bottle filling fountain grants.

The Water Bottle Filling Fountain Grant Committee met on December 9 and selected five recipients for the Board’s consideration. Applications were reviewed and judged primarily on potential exposure and public access and the promotion of healthy tap water.

FISCAL REVIEW / FUNDING

Funding of \$7,000 is included in the public relations budget for 2020. If all applicants accept the grants, funding will still fall within the budgeted amount.

LEGAL REVIEW

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

CONCLUSION(S)

The Water Bottle Filling Station Grant Sub Committee endorses the proposed motion for the full Board's consideration.

ATTACHMENTS

The five applications.

Carrie Walker

From: PWD Webform
Sent: Tuesday, February 12, 2019 11:14 AM
To: Michelle Clements
Subject: Form submission from: Water Bottle Filling Station Grant Application

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Name: Jaclyn Sands

Company or Organization: Windham Christian Academy

Street Address: 1051 Roosevelt Trail

City: Windham

State: ME

Zip Code: 04062

Phone Number: 2078922244

Email Address: office@windhamchristian.org

Installation Year: 2020

Which type of unit are you applying for?: Retro

Describe the location of proposed installation: In a school lobby

Describe exposure, approximate number of people passing by the unit, current use of fountains, etc.: The unit would be located in the main lobby of the school building. 100+ people travel by each day.

Explain your organization's need / reason for applying for a grant and interest in a bottle filling fountain: Students currently fill up water bottles at a water fountain which typically takes 2-3 minutes per bottle. The bigger the class, the more time this takes!

Who is your primary audience for the unit?: school children

Who will be installing the unit?: Internal

How did you learn of the grant program?: Other

Does your organization agree to pay all installation, maintenance, and water costs associated with the unit?: Yes

Do you need to pursue additional approvals in order to install the unit?: No

Carrie Walker

From: PWD Webform
Sent: Friday, August 16, 2019 12:52 PM
To: Michelle Clements
Subject: Form submission from: Water Bottle Filling Station Grant Application

Name: Lucky D'Ascanio

Company or Organization: Town of Falmouth

Street Address: 190 MIDDLE RD

City: FALMOUTH

State: ME

Zip Code: 04105

Phone Number: 2076995313

Email Address: ldascanio@falmouthme.org

Installation Year: 2020

Which type of unit are you applying for?: Retro

Describe the location of proposed installation: Mason-Motz Activity Center - a renovated school building for community use in the hallway

Describe exposure, approximate number of people passing by the unit, current use of fountains, etc.:

MMAC is a community center with daily activities for all ages, We currently offer a before/after care programs for school-age children, host a pre-school, have a dedicated senior center room, offer daily fitness/wellness classes, safe indoor walking programs for senior citizens, meeting space for residents and civic groups, etc. Approximate number of patrons per day is anywhere from 250-400 on a regular basis.

Explain your organization's need / reason for applying for a grant and interest in a bottle filling fountain:

The Town of Falmouth is committed to conservation on all levels and the Parks & Community Programs Department would love to be proactive in fostering that commitment. Our department is also wellness centered and would like to support healthy habits for all of our participants as well as staff by encouraging them to be conservation-minded as the same time by refilling their own water bottles. Currently we do not have funds for upgrades to our center such as this and would be grateful for any assistance the PWD could provide.

Who is your primary audience for the unit?: All ages of activity center participants and staff from preschool to senior citizens.

Who will be installing the unit?: Contractor

How did you learn of the grant program?: Other_brochure

Does your organization agree to pay all installation, maintenance, and water costs associated with the unit?: Yes

Do you need to pursue additional approvals in order to install the unit?: No

Carrie Walker

From: PWD Webform
Sent: Friday, October 25, 2019 10:59 AM
To: Michelle Clements
Subject: Form submission from: Water Bottle Filling Station Grant Application

Name: Peter Badalament

Company or Organization: Falmouth Public Schools

Street Address: 74 Woodville Rd.

City: Falmouth

State: ME

Zip Code: 04105

Phone Number: 5089583279

Email Address: peter.badalament@falmouthschools.org

Installation Year: 2020

Which type of unit are you applying for?: Stand

Describe the location of proposed installation: 1st floor of Falmouth High School

Describe exposure, approximate number of people passing by the unit, current use of fountains, etc.:

proximity to the cafeteria / students and staff could fill bottles throughout the school day (6.5 hours)

additionally outside groups use our building 7 days a week approximate number of people = 760 our current fountains are heavily used

Explain your organization's need / reason for applying for a grant and interest in a bottle filling fountain:

We (a student and I) are concerned with the number of plastic water bottles that are purchased and disposed of daily in the school. We would like to transition our school community to the use of reusable water bottles.

There currently is no water bottle filling station near the cafeteria. Additionally, adding a filling station would give students and staff the opportunity to utilize many times during the school day.

Who is your primary audience for the unit?: students and staff of a high school

Who will be installing the unit?: Internal

How did you learn of the grant program?: Internet

Does your organization agree to pay all installation, maintenance, and water costs associated with the unit?: Yes

Do you need to pursue additional approvals in order to install the unit?: No

Carrie Walker

From: PWD Webform
Sent: Wednesday, August 14, 2019 8:56 AM
To: Michelle Clements
Subject: Form submission from: Water Bottle Filling Station Grant Application

Name: Catherine Murphy

Company or Organization: Maine Education Center for the Deaf and Hard of Hearing, The Governor Baxter School of the Deaf

Street Address: 1 Mackworth Island

City: Falmouth

State: ME

Zip Code: 04105

Phone Number: 2077816294

Email Address: catherine.murphy@mecdhh.org

Installation Year: 2019

Which type of unit are you applying for?: Stand

Describe the location of proposed installation: School entrance

Describe exposure, approximate number of people passing by the unit, current use of fountains, etc.:

There will be approximately 40-60 people each day, and on occasion up to 100 as this is also an entrance to our conference center.

Explain your organization's need / reason for applying for a grant and interest in a bottle filling fountain:

Our fountain in our school area is not currently working. We would like to replace this with a fountain/filling station. We are a state school for the deaf and hard of hearing but our funds are almost entirely allocated to instructional staff. We have minimal funds to apply to capital repairs/upgrades and they are expended on needs such as roof repair, air quality, etc.

Who is your primary audience for the unit?: Pre-School students, staff and parents and others who will be using our conference center.

Who will be installing the unit?: Contractor

How did you learn of the grant program?: Other_brochure

Does your organization agree to pay all installation, maintenance, and water costs associated with the unit?: Yes

Do you need to pursue additional approvals in order to install the unit?: No

Carrie Walker

From: PWD Webform
Sent: Monday, July 08, 2019 5:28 PM
To: Michelle Clements
Subject: Form submission from: Water Bottle Filling Station Grant Application

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Name: Apex Racket and Fitness
Company or Organization: Apex Racket and Fitness
Street Address: 2445 Congress Street
City: Portland
State: ME
Zip Code: 04102
Phone Number: 2077756128
Email Address: stephanwoods@icloud.com
Installation Year: 2019

Which type of unit are you applying for?: Stand

Describe the location of proposed installation: 1st floor water fountain located in the main corridor. Highly visible next to our main tennis and racquetball court entrance s.

Describe exposure, approximate number of people passing by the unit, current use of fountains, etc.: We are an open to the public facility and not a private club offering indoor fitness center, racquetball, tennis, table tennis, indoor golf and squash. Opened in 1970 we are the HUB of tennis in Maine and have been in continuous operation for and approaching 50 years of operation. We are the largest indoor racket club north of Boston offering adult and junior tennis services. We don't have members but serve more then 12,000 customers annually, through hosting high school matches, tournaments, clinics, lessons, USTA team matches and court time.

Explain your organization's need / reason for applying for a grant and interest in a bottle filling fountain: Our current water fountain while functional is very old and does not offer the bottle filling station option. Many of our customers would use this function rather than purchasing the plastic bottle of water that we offer reducing waste generated from disposable water bottles. Ideally, we would like to install two of these systems as we have another unit located on our second floor that currently not working and turned off. This system does not offer the water bottle function and is original to the club. We function much like a not for profit offering tennis and community fitness services to the greater Portland area. We could really use the grant to install this system.

Who is your primary audience for the unit?: All our customers, general audience and staff would use this unit as this is our primary water system.

Who will be installing the unit?: Contractor

How did you learn of the grant program?: Brochure

Does your organization agree to pay all installation, maintenance, and water costs associated with the unit?: Yes

Do you need to pursue additional approvals in order to install the unit?: No



Portland Water District
From Sebago Lake To Casco Bay

BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 7B Order 19-040
Date of Meeting: December 16, 2019
Subject: East End WWTF 3rd Floor HVAC Upgrades Project – Professional Services Contract Selection
Presented By: Gordon Johnson, Engineering Services Manager

RECOMMENDATION

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

ORDERED, that the Comprehensive Method is authorized for the procurement of engineering services for the East End WWTF 3rd Floor HVAC Upgrades Project, 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.

ORDERED, a professional services contract with Triple Point Engineering LLC is hereby authorized in the amount of \$89,875 for design phase engineering services for the East End WWTF 3rd Floor HVAC Upgrades Project (CIP 2019-21/3017); and that the General Manager and the Treasurer, each acting singly, are authorized to take such steps as may be necessary to accomplish the intent of the vote.

BACKGROUND ANALYSIS

PWD conducted an HVAC system assessment and planning effort for all four wastewater treatment facilities in 2016. As a result of that effort several upgrade projects were recommended and prioritized into proposed CIP projects. This project will address heating, cooling and ventilation needs for the third floor of the East End WWTF which includes the laboratory, reception area, operations control center, lavatories, conference room, and five offices.

Staff recommends a "design-bid-build" approach to this effort which would include detailed design and development of plans and specifications as part of a request for bids (RFB) issued to contractors for competitive pricing. Therefore, the Comprehensive Method for professional services is requested, such that the firm responsible for development of the contract documents may be recommended to continue providing professional services through project completion. Using the Comprehensive Method, recommendation for construction phase professional services will be made upon completion of the RFB.

Three professional services firms were invited to a request for proposals (RFP) for design of the East End 3rd Floor HVAC upgrades. Two firms responded and described their proposed approach

to meet the project objectives; a ranking committee comprised of three PWD staff members was assembled and reviewed the responses and ranked each team based on the qualitative criteria described in the RFP, where a ranking of 1 was given to the firm that best met the project's objectives. The Purchasing Agent then opened the fee proposals and added the quantitative ranking to each team's overall score based on the comparative cost formula published in the RFP. Triple Point Engineering was the successful respondent with a score of 100, which represents unanimous top ranking of the qualitative criteria and the lowest fee proposal. Staff recommends award of professional services for the East End 3rd Floor HVAC upgrade to Triple Point Engineering.

Project #: 2019 CIP, Subprogram 21 project #3017 (East End WWTF 3rd Floor HVAC Upgrades Project).

FISCAL REVIEW/FUNDING

This project includes comprehensive engineering services for the East End WWTF 3rd Floor HVAC Upgrades Project which has a budget of \$575,000. The project has been submitted for consideration for the CWSRF project list for funding through MMBB. Estimated annual operating fund impact for this project is approximately \$50,000.

LEGAL REVIEW

Corporate Counsel has reviewed the proposed order as to form.

CONCLUSION(S)

Staff recommends awarding a contract for engineering design services under the Comprehensive Method for the East End WWTF 3rd Floor HVAC Upgrades Project to Triple Point Engineering. The Committee voted 2-0 to forward the recommendation to the full Board for their consideration.

ATTACHMENT(S)

SUPPORTING INFORMATION

SUPPORTING INFORMATION

PWD conducted an HVAC system assessment and planning effort for all four wastewater treatment facilities in 2016. As a result of that effort several upgrade projects were recommended and prioritized into proposed CIP projects. This project will address heating, cooling and ventilation needs for the third floor of the East End WWTF which includes the laboratory, reception area, operations control center, lavatories, conference room, and five offices.

This project includes design phase engineering services, including preliminary design, detailed design and bidding. This effort will include establishing a design basis outlining the components of the preliminary design and associated cost breakdown, followed by development of the plans and specifications with intermediate milestones to confirm scope objectives and project cost. The scope of the construction phase engineering services will be refined based on work sequencing and other project requirements developed during design.

Three qualified engineering firms were invited to respond to the RFP: Colby Company, Tighe & Bond, and Triple Point Engineering. Two firms responded: Colby Company and Triple Point. A selection team of three PWD staff including representation from Operations and AMaP was assembled to review the proposals. The selection committee reviewed the proposals and held meetings to discuss the team's responses.

Each selection team member reviewed the proposals based on the two non-fee categories identified in the RFP; Methods & Approach (35%) and Qualifications & Experience (35%). The two proposals were ranked for each category, where a 1 ranking represented the team that best met the requirements. The rankings for each firm were averaged for the entire review team.

Following the team review, the lump sum fee was opened. It was added to the overall ranking of the proposals (at 30%). A total of 100 represents a perfect score and the lowest fee. Based on the outcome of the review and ranking, Triple Point Engineering received the best overall score (100).

Key factors that led to recommendation of the Triple Point team include the following:

- Well defined project approach including establishment of intermediate milestones and project team member responsibilities;
- Recognition of the need to comply with Clean Water SRF procurement requirements;
- Emphasis on the need for assessment and upgrade scope refinement;

The following table summarizes the results of the selection committee’s evaluation of each respondent, including a scoring breakdown:

Criteria	Triple Point	Colby Company
1. Methods & Approach		
Weight - 35% (Best Score = 35)	1	2
Methods Score	35	70
2. Qualifications & Experience		
Weight - 35% (Best Score = 35)	1	2
Qualifications Score	35	70
3. Fee		
Weight - 30% (Best Score = 30)	1	2.32
Lump Sum Fee (through Final Design and Bidding)	\$89,875	\$149,064
Fee Score	30	69
Total Score	100	210
Rank	1	2

As a result of the review, the team recommends award to Triple Point Engineering for an amount of \$89,875 for completion of the East End WWTF 3rd Floor HVAC Upgrades Project design. It is recommended that the comprehensive method for procuring engineering services be used for this project, meaning that it is anticipated that the same firm will be utilized for preliminary and final design as well as construction services.



Portland Water District
From Sebago Lake To Casco Bay

BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 7C Order 19-041
Date of Meeting: December 16, 2019
Subject: Request for contribution of up to \$9,000 to Western Foothills Land Trust to support the conservation of the Briggs property in Waterford
Presented By: Laurel Jackson, Water Resources Specialist

RECOMMENDATION

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

ORDERED, that the General Manager is authorized to contribute up to \$9,000 to the Western Foothills Land Trust, to support the conservation of the 28 acre Briggs parcel.

BACKGROUND

The Sebago Lake watershed encompasses 450 square miles and includes parts of more than 20 towns. The long term water quality of the lake is in large part a function of the nature and scope of development of the watershed. The District's 2013 Watershed Land Conservation Policy states the District's commitment to and support for locally-initiated land conservation efforts.

The Briggs property is a 28-acre property located in the town of Waterford. The Western Foothills Land Trust will accept the donated land with the purpose of conserving it in perpetuity. With the adjacent parcels already conserved, the donation of this land will create a contiguous area of over 200 acres of conserved land on Hawk Mountain.

The land will be owned and managed by Western Foothills Land Trust. The District will require that the land be legally protected from development in perpetuity.

ANALYSIS

The funding requested by the land trust is less than the contribution amount determined using the District's site-specific analysis therefore the recommended contribution is the amount requested by the land trust. The District's conservation value for the parcel is calculated to be \$50,000. The contribution of \$9,000 represents about \$321 per acre of protected land within the watershed. The District's contribution is to be used towards stewardship. The entire parcel is within the watershed of Sebago Lake.

FISCAL REVIEW / FUNDING

The recommended contribution of \$9,000 was calculated using the District's site-specific assessment. The contribution to this project shall be funded through the District's watershed protection fund.

LEGAL REVIEW

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

CONCLUSION(S)

This project 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 unanimously agreed to forward the contribution to the Board for approval.

ATTACHMENT(S)

Letter of request from Western Foothills Land Trust
Briggs Report



November 1, 2019

Laurel Jackson
Portland Water District
PO Box 3553
Portland, ME 04104-3553

Dear Portland Water District,

Enclosed please find The Western Foothills Land Trust's request for stewardship support for the fee donation of three forested parcels -28 acres total- adjacent to our 160- acre Hatch Preserve at Hawk Mountain in Waterford. The land is in the Sebago Lake Watershed and includes 1,200' of frontage on Mud Pond.

The value of the fee donation was recently appraised at a total of \$103,000 for the 28 acres; WFLT is requesting \$9,000 for the stewardship fund. The Trust will keep the lands in tree growth taxation and will work with PWD on the management plan for the parcel.

The parcels may be Identified as Waterford maps M-9 L4, M9 L4a, and M9 L5. The three parcels are 30% wetlands, which corresponds to high watershed protection value (SCW Mapper, see photo). The remaining 70%, the area outside of wetlands, is rated as high working land value (SCW Mapper, see photo). The same area (70% of the whole) has medium development threat (SCW Mapper, see photo).

Colonel Errol Briggs, the donor, a naturalist for the State of Vermont, has identified *Sphagnum* moss, black spruce, cranberries, grass pink orchid, white fringed orchid, rose pogonia, northern yellow-eyed grass, horned bladderwort, sundews, pitcher plants, and numerous other fen species on site.

Thank you for your consideration of this project. And please do not hesitate to let us know if you need anything else from us. Mr. Briggs would like to close in 2019. We are aiming for the week before Christmas.

Lee Dassler

Executive Director

PORTLAND WATER DISTRICT

Land Conservation Program

Site-Specific Assessment



Briggs Property Waterford, Maine



This report was prepared by PWD's
Environmental Services Department
November 25, 2019

Briggs Property, Waterford, ME

Site Visit by Laurel Jackson, 6/31/2019

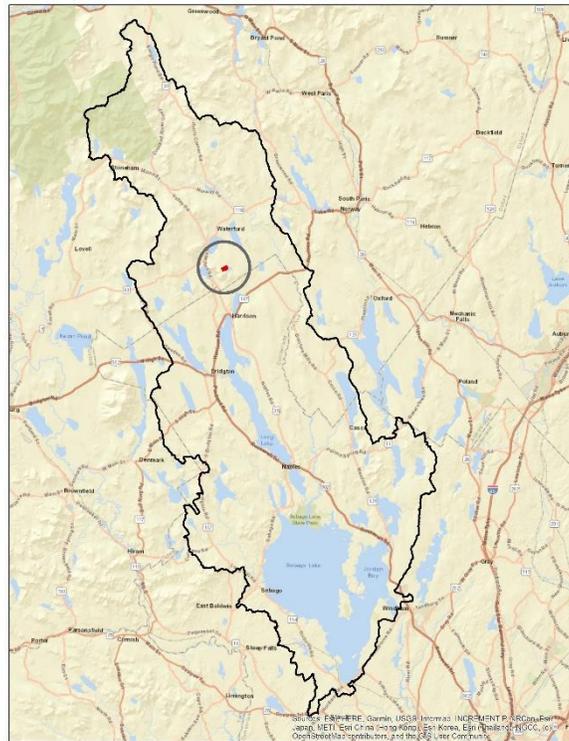
Description

The Briggs property is three parcels, totaling 28 acres, located in the town of Waterford. The land is entirely forested and has 1200 feet of frontage on Mud Pond. It is adjacent to a 160-acre preserve owned by Western Foothills Land Trust on Hawk Mountain. The Trust plans to maintain the property as a managed forest, allowing public access but not creating a trail system or formalized recreation area.

Site Features

Location

The property is located approximately 17 miles north of Sebago Lake. The access is via Hawk Mountain Road.



Location of property

Land Use/Land Cover

The property is entirely forested.

Water Resources

There are eight acres of mapped wetlands associated with Mud Pond and 1200 feet of shoreline on the pond.

Connection to Sebago Lake

The land to be conserved drains to Mud Pond. Located in the indirect watershed, Mud Pond drains to Sebago Lake via a chain of lakes.

SITE-SPECIFIC PROPERTY ASSESSMENT

Property Name

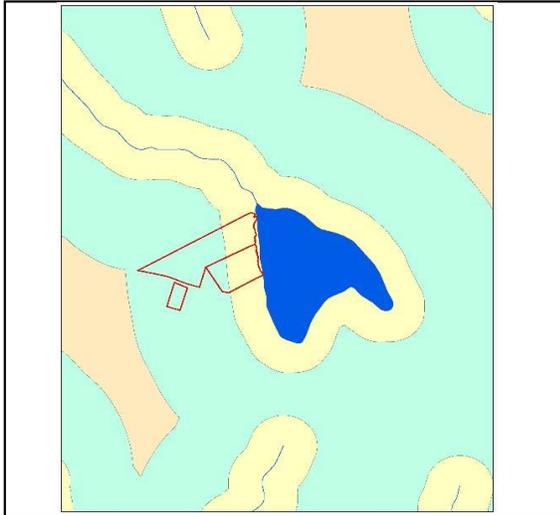
Area (acres)

Location

Land Trust

Description

Location map



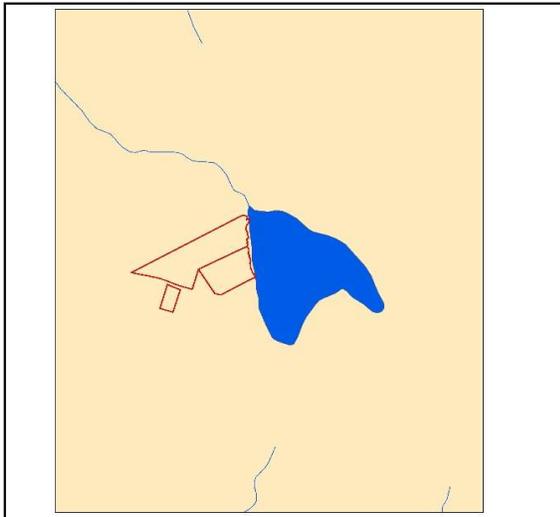
Land cover map



	acres	percent
Prioritization Zone 1	11	40
Prioritization Zone 2	17	60
Prioritization Zone 3		

Forest cover	24	acres
	85	percent

Aquifer map



Wetlands map



Sig. sand and gravel aquifers	0	acres
	0	percent

Mapped wetlands	8.5	acres
	30	percent

SITE-SPECIFIC PROPERTY ASSESSMENT

Property Name

Estimated Conservation Value

PWD Value: \$50,000

Appraisal: \$103,000

Watershed Zone

Highest priority zone encompassing at least 25%

Low Percentage of Contribution Range %

Zone I = 15-25%

Zone II = 10-20%

Zone III = 5-15%

Factors

Located in 7 shoreland towns? add %

More than 50% forested add %

More than 10% aquifer? add %

More than 20% wetlands? add %

Other (explain) add %

Calculated contribution (percent) %

Calculated contribution (dollars)

Recommended contribution (dollars)



Portland Water District
From Sebago Lake To Casco Bay

BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 7D Order 19-042
Date of Meeting: December 16, 2019
Subject: Land Swap – Wescott Road – Gorham
Presented By: Norman Twaddel, Right of Way Agent

RECOMMENDATION

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

ORDERED, a land swap is authorized between the Portland Water District and Thomas Smillie related to land off Wescott Road in Gorham;

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

Thomas Smillie owns a 55 acre parcel of land located on Wescott Road in Gorham. The District has an easement and fee strip of land that runs through the property from side to side for the 42” cast iron transmission main, a large portion of which is fee owned land. This ownership was recently discovered in the process of having the land surveyed. Historically, the access road across the main from Wescott Road to the rear of the property has been located in the area where PWD owns the fee of the land. The area where PWD only has an easement is not suitable for a driveway /access road due to wetlands.

Mr. Smillie has requested that the District swap fee strips of land as shown on the attached map so that he can build a roadway across the main in the location where the existing woods road crosses. The parcel that is proposed to be deeded to Smillie contains 46,000 SF. The District would retain easement rights in that strip for the water main and would need to approve any road design over the pipe crossing before it is built. Mr. Smillie would also be held liable for any damage done to the main due to his road construction.

In exchange for that parcel, the District would receive a 57,000 SF adjacent fee parcel which contains transmission valves and bridge crossings that we need to maintain and a permanent access easement to the transmission line from Wescott Road. The current fee piece contains only a pipe line with no other structures. The District has used this access road from Wescott Road in the past to get access to the transmission main, although we do not have any permanent easement rights.

Mr. Smillie plans to sell one house lot on Wescott Road and build his future home in the rear of the property. He also has future plans to develop approximately 3-4 more lots on the rear parcel as shown on the attached development plan. Staff has checked with the Town CEO to assure that this plan can be done under Town land use regulations.

Staff has determined that this easement swap will continue to provide adequate easement rights for the transmission mains and will provide us with a permanent access point to get to our main. Therefore, staff is recommending that the Board of Trustees authorize the General Manager to sign the deeds to complete this easement swap.

FISCAL REVIEW / FUNDING

The proposed easement swap will not involve any cash payments.

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 approval.

ATTACHMENTS

Land Swap Plan

Proposed Development Plan

Total Parcel Area:
2,912,250 sq. ft.
66.9 acres

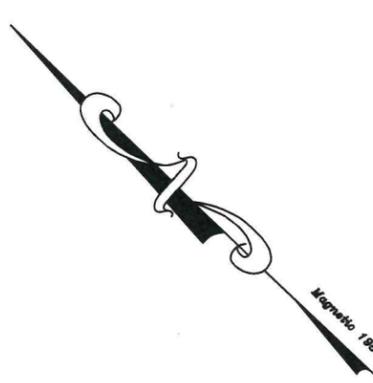
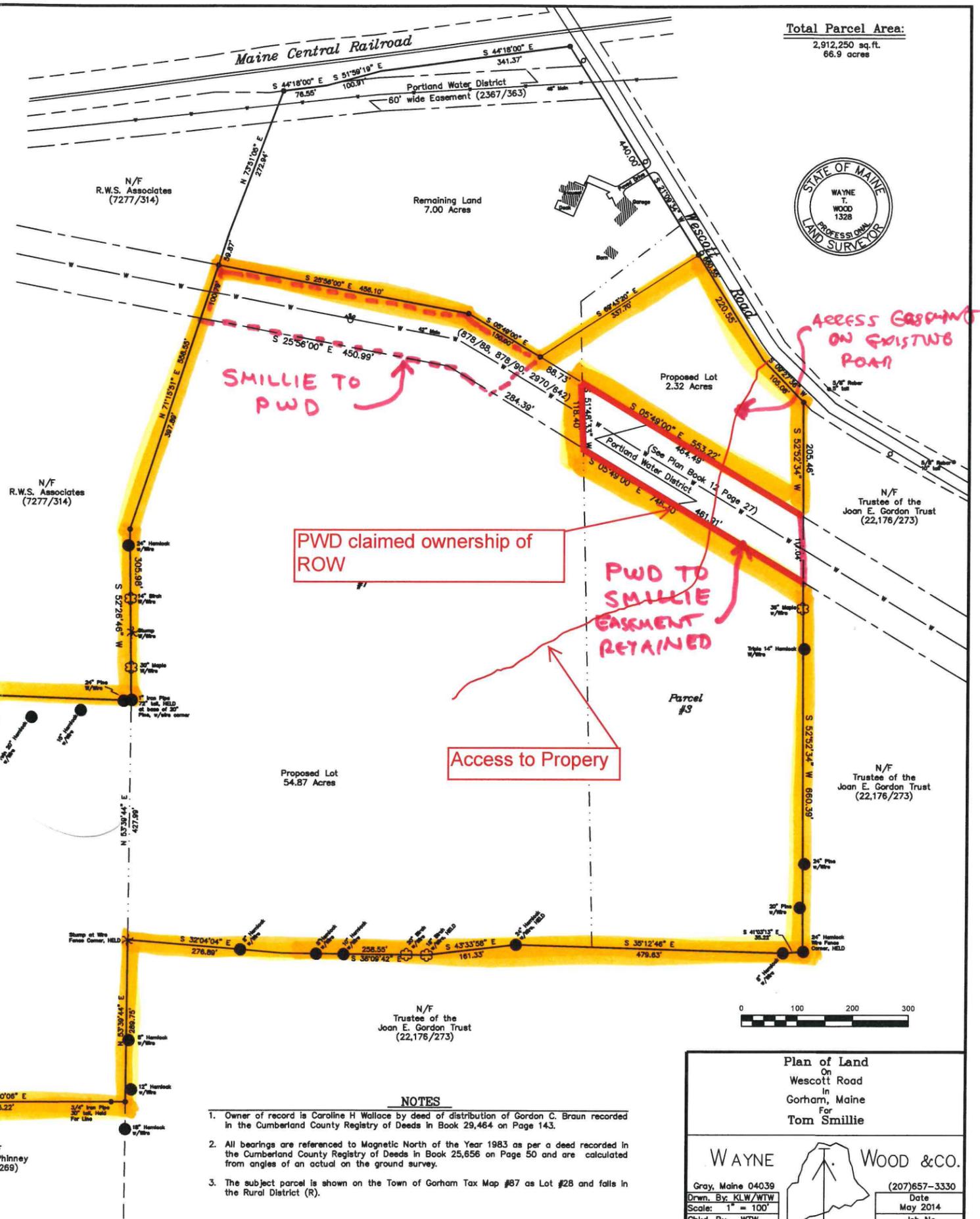


LEGEND

- 5/8" Capped Rebar (#1328) Set
- Iron Pipe or Pin Found as Noted
- ⊕ Water Shut-Off Valve
- ▨ Existing Building
- ⊠ Utility Pole
- N/F Now or Formerly of
- (7277/314) Deed Book and Page Reference
- Water Line
- ⊙ Hardwood Tree as Noted
- Softwood Tree as Noted
- * Stump as Noted

PLAN REFERENCES

1. "Third Amended Plan ~ Subdivision and Private Way Extension ~ Reinhard Farms ~ Lot 16.005 Land of Christopher and Lynette Wheeler" dated January 2013 by BH2M and recorded in the Cumberland County Registry of Deeds in Plan Book 213 on Page 98.
2. "Minor Subdivision Land of William Reinhard, Sr. ~ Goodall Road ~ Gorham, Maine" dated June 1984 by BH2M and recorded in the Cumberland County Registry of Deeds in Plan Book 142 on Page 53.
3. "Portland Water District ~ Portland, Maine 48" Concrete Pipe Line Moshers Corner to Sebago Lake as constructed" dated 1939.
4. "Portland Water District ~ Portland, Maine 48" Pipe Line Right of Way Plans" dated August 1938 (13 sheets).
5. "Right of Way and Track Map ~ The Portland & Ogdensburg RY operated by the Maine Central Railroad Company ~ V. 16/8." dated June 13, 1916
6. "Portland Water District ~ Sebago Pipe Line ~ Right of Way Plan" dated June 1910.
7. "Plan of Gorham, Maine traced from a plan dated October 1884 by G D Weeks" dated February 1932 recorded in the Cumberland County Registry of Deeds in Plan Book 25 on Page 5.
8. "Standard Boundary Survey of the George M. Laskey, Sr. & George M. Laskey, Jr. Parcel for George M Laskey Jr ~ Plummer Road ~ Gorham, Maine" dated February 1997 by R D Redmond



Access to Property

PWD claimed ownership of ROW

PWD TO SMILLIE EASEMENT RETAINED

ACCESS GORDON ON EXISTING ROAD

SMILLIE TO PWD



NOTES

1. Owner of record is Caroline H Wallace by deed of distribution of Gordon C. Braun recorded in the Cumberland County Registry of Deeds in Book 29,464 on Page 143.
2. All bearings are referenced to Magnetic North of the Year 1983 as per a deed recorded in the Cumberland County Registry of Deeds in Book 25,656 on Page 50 and are calculated from angles of an actual on the ground survey.
3. The subject parcel is shown on the Town of Gorham Tax Map #87 as Lot #28 and falls in the Rural District (R).

Plan of Land
On
Wescott Road
In
Gorham, Maine
For
Tom Smillie

WAYNE T. WOOD & CO.

Gray, Maine 04039
Drwn. By: K/LW/WTW
Scale: 1" = 100'
Chkd. By: WTW
Bk.No. 133

(207)657-3330
Date
May 2014
Job No.
213058A

