

AGENDA
BOARD OF TRUSTEES
PORTLAND WATER DISTRICT
225 Douglass Street, Portland, Maine
Jeff P. Nixon Training Center
6:00 p.m., Monday, September 19, 2022

- | | | |
|-----|--|--------------------------------------|
| 1. | <u>Convene Meeting</u> | President Douglas |
| 2. | <u>Roll Call</u> | Clerk |
| 3a. | <u>Acceptance of Minutes</u> of the Regular Meeting of July 25, 2022. | President Douglas |
| 3b. | <u>Acceptance of Minutes</u> of the Regular Meeting of August 22, 2022. | President Douglas |
| 3c. | <u>Acceptance of Minutes</u> of the Special Meeting and Workshop Meeting of September 12, 2022. | President Douglas |
| 4. | <u>Invitation for Public Comment</u> | President Douglas |
| 5. | <u>Reports:</u> | |
| | ▪ Operations Committee Reports | Trustee Rich |
| | ▪ Planning Committee Reports | Trustee Shattuck-Heidorn |
| | ▪ Administration & Finance Committee Reports | Trustee Siviski |
| | ▪ General Manager's Report | General Manager |
| 6. | <u>New Business</u> | |
| | A. <u>Order 22-033</u> authorizing appointment of the new General Manager. | President Douglas |
| | B. <u>Order 22-034</u> authorizing an amendment to the bargaining unit's pension plan consistent with the recently signed union contract. | Administration and Finance Committee |
| | C. <u>Order 22-035</u> authorizing an increase in compensation for non-union employees. | Administration and Finance Committee |
| | D. <u>Order 22-036</u> authorizing the Treasurer to begin the process of increasing water rates an average of 5.6% effective January 1, 2023. | Administration and Finance Committee |
| | E. <u>Order 22-037</u> authorizing the General Manager to execute a professional services contract amendment with Hazen and Sawyer. | Operations Committee |
| | F. <u>Order 22-038</u> authorizing revisions to the policy for the Acceptance of Septage and Holding Tank Waste. | Operations Committee |
| | G. <u>Order 22-039</u> authorizing a contribution to Mahoosuc Land Trust regarding the James Bell Connector Conservation Project. | Planning Committee |
| | H. <u>Order 22-040</u> authorizing a contribution to Mahoosuc Land Trust regarding Flint Mountain-Sawin Hill Conservation Project. | Planning Committee |

7. Other Business. An item may be added to this agenda provided seven trustees vote to waive the rule regarding agendas. President Douglas
8. Second Invitation for Public Comment. President Douglas
9. Trustee Comments. President Douglas
10. 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 Douglas
11. Adjournment. President Douglas

Donna M. Katsiaficas
Clerk

Portland Water District
Board of Trustees Regular Meeting
September 19, 2022

New Business

Agenda Item 6A-6H



BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 6A Order 22-033
Date of Meeting: September 19, 2022
Subject: Appointment of New General Manager
Presented By: Guy Cote, Chair of General Manager Search Committee

RECOMMENDATION

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

ORDERED, Seth Garrison, of Scarborough, is hereby appointed as the new General Manager of the Portland Water District, pursuant to the terms of an offer letter dated August 26, 2022, with an effective date of hire of October 17, 2022.

BACKGROUND

General Manager Carrie Lewis will be retiring from PWD; her last work day in the office is expected to be October 14, 2022.

A General Manager Search Committee was established comprised of several members of the Board of Trustees. With the assistance of a professional search firm, the Committee interviewed candidates for the position of General Manager.

An offer of employment was made to the District's top choice, Seth Garrison, by letter dated August 26, 2022. Mr. Garrison has accepted the District's offer.

It is therefore recommended that Mr. Garrison be appointed as the District's new General Manager effective October 17, 2022, pursuant to the terms of the offer letter extended to him by the District.



BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 6B Order 22-034
Date of Meeting: September 19, 2022
Subject: Bargaining Unit Pension Plan's Amendment to Clarify Benefits Received by Currently Employed Participants
Presented By: Mary Demers, Director of Employee Services

RECOMMENDATION

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

ORDERED, that the Sixth Amendment to the Portland Water District Bargaining Unit Employees' Pension Plan, effective for retirements occurring on or after November 1, 2021, in substantially the form presented at this meeting and ordered filed with the minutes hereof, is hereby adopted and approved, with such changes therein, not inconsistent with the general tenor thereof, as the officers of the District, with the advice of counsel, deem necessary or appropriate to carry out the objectives thereof or to obtain the approval of the Internal Revenue Service that the Plan is qualified under Section 401 of the Internal Revenue Code of 1986, as amended (the "Code").

BE IT FURTHER ORDERED, the General Manager (or other appropriate person) is authorized to take any action necessary or appropriate to effectuate the foregoing votes, including but not limited to (i) executing the formal documents, and (ii) communicating plan changes to plan participants and eligible individuals.

AND BE IT FURTHER ORDERED, that all actions heretofore taken by any employee of the District in connection with the actions authorized by the foregoing resolutions, and all actions related thereto, are hereby approved, ratified and confirmed in all respects.

BACKGROUND ANALYSIS

At the September 12, 2022 meeting, the Board ratified the labor agreement between the Teamsters Local 340 and the District. The agreement included an increase for bargaining unit employees participating in defined benefit pension benefits that retire on or after November 1, 2021. The summary of the changes are listed below:

<u>Pay Grade</u>	<u>Current Benefit</u>	<u>11/1/2021</u>	<u>11/7/2022</u>	<u>11/6/2023</u>
A-E	\$38.25/year of service	\$40.00	\$40.75	\$41.50
F-L	\$39.25/year of service	\$40.00	\$40.75	\$41.50

The proposed Bargaining Plan amendment incorporates these changes.

FISCAL REVIEW / FUNDING

The pension benefits change increases the pension liability by approximately \$300,000 and annual expense by \$110,000.

LEGAL REVIEW

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

CONCLUSION(S)

Staff recommended the Board approve the proposed motion. The Committee unanimously voted to forward the item to the full Board for its consideration.

ATTACHMENTS

A. Sixth Amendment to Bargaining Unit Pension Plan

**SIXTH AMENDMENT
TO THE
PORTLAND WATER DISTRICT
BARGAINING UNIT EMPLOYEES' PENSION PLAN**

The Portland Water District Bargaining Unit Employees' Pension Plan was last amended and restated effective generally January 1, 2015. The Plan is hereby further amended in the following respects:

1. The terms used in this Amendment shall have the meanings set forth in the Plan unless the context indicates otherwise.

2. Section 4.01 of the Plan is hereby amended to include the following new paragraphs (g) through (i):

(g) A Participant retiring on or after November 1, 2021, on his or her Normal Retirement Date shall be entitled to: a monthly Normal Retirement Benefit equal to Forty Dollars (\$40.00), multiplied by the number of his or her years and months (not to exceed forty-five (45) years) of Credited Service.

(h) A Participant retiring on or after November 7, 2022, on his or her Normal Retirement Date shall be entitled to: a monthly Normal Retirement Benefit equal to Forty Dollars and Seventy-Five Cents (\$40.75), multiplied by the number of his or her years and months (not to exceed forty-five (45) years) of Credited Service.

(i) A Participant retiring on or after November 6, 2023, on his or her Normal Retirement Date shall be entitled to: a monthly Normal Retirement Benefit equal to Forty-One Dollars and Fifty Cents (\$41.50), multiplied by the number of his or her years and months (not to exceed forty-five (45) years) of Credited Service.

3. This Amendment shall be effective for retirements occurring on or after November 7, 2017.

IN WITNESS WHEREOF, to record adoption of this Amendment, the Portland Water District has caused this instrument to be executed by its duly authorized officer this _____ day of _____, 2022.

WITNESS:

PORTLAND WATER DISTRICT:

By:_____



Portland Water District
From Sebago Lake To Casco Bay

BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 6C Order 22-035
Date of Meeting: September 19, 2022
Subject: Non-Union Salary Adjustment
Presented By: Mary Demers, Director of Employee Services
Carrie Lewis, General Manager

RECOMMENDATION

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

WHEREAS, compensation for non-union employees was adjusted on January 1, 2022 by 3%, which was an estimate of the increased cost of living for calendar year 2022,

WHEREAS, inflation has been higher than anticipated and the District's compensation consultant reported the actual 2022 cost-of living increase for 2022 will be between 5 and 7%;

NOW THEREFORE:

BE IT ORDERED, that non-union employee compensation be increased by 3% effective July 1, 2022.

BACKGROUND ANALYSIS

At the December 20, 2021 meeting, the Board authorized non-union pay adjustment bringing compensation to the market salaries. Additionally, the adjustment included a 3% cost-of-living adjustment (COLA) estimate for 2022 and stated the COLA amount "be reviewed and an additional adjustment made on July 1, 2022, if appropriate". The District's consultant, KMA Human Resources Consulting, has indicated national and Maine wage increases are ranging between 5% and 7% for 2022. Staff recommends an additional 3% adjustment to all non-union positions effective July 1, 2022. These are increases to individual salaries, not increases to the maximum of the salary grades. The July 1st 3% increase combined with the 3% included with the January 1, 2022 adjustment results in a total 2022 increase of 6%.

FISCAL REVIEW/FUNDING

Adjustments to salaries of PWD's non-union employees is estimated to have an operating fund impact of \$82,000.

LEGAL REVIEW

Corporate Counsel has reviewed the proposed order as to form.

CONCLUSION(S)

The General Manager recommends that all non-union salary compensation be adjusted upward by 3% effective July 1, 2022. The Committee unanimously voted to forward the item to the full Board for its consideration.

ATTACHMENT(S)

None



Portland Water District
From Sebago Lake To Casco Bay

BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 6D Order 22-036
Date of Meeting: September 19, 2022
Subject: Water Rates Adjustment
Presented By: David Kane, Executive Director of Administration

RECOMMENDATION

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

ORDERED, pursuant to Board of Trustees Policy, the Treasurer shall prepare the supporting documents for a water rate increase of approximately 5.6% with new rates to be effective January 1, 2023; and

ORDERED, the District will allocate 1% of the proposed increase to the capital reserve fund to finance the installation of water mains included in the System Infrastructure Assessment report.

BACKGROUND ANALYSIS

At the June 6th Board Workshop, Staff proposed several 2023 budget parameters including the need to increase water rates by an average of 6%. Due primarily to lower than expected health and pension costs, the water rate adjustment has been reduced to 5.6%

Staff will prepare the supporting documentation and arrange to hold a public hearing in November and send customer notices about the public hearing to all customers. Significant items to be considered are listed below.

Revenue Requirement – How much do we need to operate?

The proposed 2023 net expenditure operating budget is \$29.0 million. Consistent with the Board policy of annual rate adjustments, the Committee proposes an increase of 5.6% in 2020.

Reserves – How much do we want to include for operating fund reserves?

The proposed 2023 water budget assumes a 5.6% rate adjustment would generate \$29.0.

	<u>12/31/2022</u>	<u>12/31/2023</u>	<u>Target</u>
Operating	\$6.8M	\$ 6.8M	\$ 6.6M
Watershed Land Protection	\$1.9M	\$ 1.5M	\$ 3.8M
Capital Reserve	\$0.6	\$ 0.0M	None

Water Consumption – How much do we assume customers will use?

The budget assumed consumption of 8.4 million hundred cubic feet (HCF). Actual consumption for the years between 2014 and 2021 ranged from 8.2 million HCF to 8.8 million HCF with 2019 having 8.4 million HCF. Staff recommends using the consumption at the lower end of the recent actual consumption range (i.e. 8.4 million HCF).

Rate Design – How should the rate adjustment be allocated?

The last cost of service study indicated that industrial/commercial customers generate less revenue than the costs to serve them. The Board requested that the gap be closed over future rate adjustments by increasing rates at higher increments for industrial/commercial customers. The proposed rate schedule will continue to have larger commercial customers' rates increase 150% of the small residential customers' rates increase.

Regulatory Process – What regulatory process will be used?

The water rate adjustment no longer needs Maine Public Utilities Commission approval in addition to the Board of Trustees approval. Per Board policy, information will be available for public review in October and a public hearing on the proposed rate adjustment will be held in November.

The proposed schedule to implement the rate adjustment is as follows:

September 12, 2022	Administration and Finance Committee reviews and makes final recommendation to be sent to customers. Finance staff will provide up-to-date financial information and revenue projections.
September 19, 2022	Board considers approving Administration and Finance Committee's recommendation.
October 14, 2022	Supporting documentation for rate adjustment is available to the Public
October 28, 2022	Publish notice of rate adjustment and provide notice to all customers. Notice is mailed to all customers and includes an invitation to attend the public hearing.
November 14, 2022	Special public hearing on proposed rate adjustment. General Manager and Treasurer provide information supporting the rate adjustment. Public has an opportunity to ask questions and provide feedback to the Board as they consider the proposed rate schedule.
November 28, 2022	Board business meeting – Approve final rate schedule. The final rate schedule incorporates changes based on the public hearing and Board's feedback.
December 28, 2022	File final rate schedule based on public hearing and Board review. Rate schedule is distributed to Maine Public Utilities Commission for informational purposes only.
January 1, 2023	Rate adjustment effective date.

Water Rate Adjustment Impact

The customer impact of the proposed 5.6% increase is below:

(By Dollar)		3/1/2022	1/1/2023
<i>Residential</i>	<i>.62" meter, 7 HCF</i>	<i>✓ \$ 25.91</i>	<i>\$ 27.19</i>
<i>Commercial</i>	<i>.62" meter, 40 HCF</i>	<i>✓ \$ 124.08</i>	<i>\$ 130.93</i>
<i>Small Industrial</i>	<i>2" meter, 1,300 HCF</i>	<i>✓ \$ 2,032.14</i>	<i>\$ 2,174.81</i>
<i>Large Industrial</i>	<i>8" meter, 56,000 HCF</i>	<i>✓ \$ 65,786.45</i>	<i>\$ 70,327.11</i>
<i>Government</i>	<i>2" meter, 70 HCF</i>	<i>✓ \$ 209.94</i>	<i>\$ 223.51</i>
<i>Sprinkler</i>	<i>6" meter (month)</i>	<i>✓ \$ 39.92</i>	<i>\$ 41.92</i>
<i>Public Fire (per year)</i>		<i>✓ \$ 1,566,432</i>	<i>\$ 1,644,768</i>
(By Percent)			
<i>Residential</i>	<i>.62" meter, 7 HCF</i>	<i>3.2%</i>	<i>4.9%</i>
<i>Commercial</i>	<i>.62" meter, 40 HCF</i>	<i>3.8%</i>	<i>5.5%</i>
<i>Small Industrial</i>	<i>2" meter, 1,300 HCF</i>	<i>4.7%</i>	<i>7.0%</i>
<i>Large Industrial</i>	<i>8" meter, 56,000 HCF</i>	<i>4.5%</i>	<i>6.9%</i>
<i>Government</i>	<i>2" meter, 70 HCF</i>	<i>4.3%</i>	<i>6.5%</i>
<i>Sprinkler</i>	<i>6" meter (month)</i>	<i>3.6%</i>	<i>5.0%</i>
<i>Public Fire (per year)</i>		<i>3.6%</i>	<i>5.0%</i>

LEGAL REVIEW

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

CONCLUSION(S)

Staff recommends forwarding the motion supporting a 5.6% rate adjustment. The Committee unanimously voted to forward the item to the full Board for its consideration.

ATTACHMENT(S)

None



BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 6E Order 22-037
Date of Meeting: September 19, 2022
Subject: Windham Center Water Storage Tank Replacement–
Amendment to Professional Services Contract
Presented By: Christopher Crovo, Director of Asset Management
Gordon Johnson, Engineering Services Manager

RECOMMENDATION

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

WHEREAS, the Board authorized the comprehensive method of procurement of engineering services for the Windham Center Water Storage Tank Replacement Project in April of 2018 (Project); and

WHEREAS, the Board authorized a Professional Engineering Service contract with Hazen in August of 2020 for the Project,

ORDERED, the General Manager is authorized to execute a professional services contract amendment with Hazen in the amount of \$80,517 for additional design phase engineering services for the Windham Center Water Storage Tank Replacement (CIP 2018-307/2658); 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

The existing elevated water storage tank in Windham was constructed and placed in operation in 1957. The tank was targeted for replacement in the 2003 Comprehensive Water System Strategic Plan (CWSSP). The most recent maintenance was completed in 2019 when two leaks were repaired on the riser. The tank is beyond its useful life and due for replacement.

The District selected Hazen and Sawyer in August of 2020 to provide an engineering design that included a preliminary hydraulic and cost assessment of two options. Option 1 is replacing the existing tank with a larger volume elevated tank on a parcel adjacent to the existing tank, but not currently owned by PWD. Option 2 is replacing the tank with a larger volume ground level storage tank at 101 Falmouth Road in Windham on land owned by PWD. The assessment considered hydraulics, recommended piping improvements, and life cycle costs for each option to establish a recommend approach to replacing the tank to meet the objectives of adequate volume, high quality drinking water, and infrastructure reliability and safety.

After Hazen's initial review of both sites - which included modeling - it was determined that the 101 Falmouth Road site was the site preferred by staff due to its elevation, which would allow for a ground level concrete tank. The current site would only allow for a 117 foot elevated steel tank to be built; staff along with Hazen determined that a ground level would provide the most benefit from a maintenance and life cycle cost. After further investigation of the site, it became apparent that a very long access road would have to be built in order to construct the tank at that site. At that time the District paused the engineering and looked for alternate sites to place a ground level tank. Two sites were chosen to evaluate. Staff pursued negotiations with the property owners to purchase the property. One owner ultimately was not interested in selling their property so the District pursued and negotiated a purchase sale agreement with the owner of 191 Falmouth Road. Additional Engineering is needed to continue to final design due to the evaluations of multiple sites and needed additional permitting that were not anticipated in the original proposal from Hazen. The Staff is recommending to amend the engineering contract as proposed.

FISCAL REVIEW/FUNDING

The current CIP 2018 budget approved by the Board of Trustees for engineering design and land acquisition is \$400,000 (Project # : 2018-Subprogram 307/ Project 2658). The design and land acquisition qualified for the Maine Drinking Water State Revolving Loan Fund (DWSRF) and was awarded principal forgiveness of \$165,000 this past year. The current Engineering Services contract with Hazen is \$207,000. The current purchase and sale contract for the acquisition 191 Falmouth Road has committed \$80,000. The proposed \$80,517 amendment is within the budget approved by the Board.

It is anticipated this effort will lead to a recommendation for construction of a new concrete storage tank being estimated at \$7.5M and the construction of the new tank will be submitted for consideration for the DWSRF project list for funding through MMBB .

2018 CIP Approved Budget - Design and Land Acquisition \$400,000

Project Expenses to date

Professional Engineering Service contract	\$207,000
Land Acquisition (P&S)	\$80,000
Recommended Amendment to Professional Engineering Service Contract	\$80,517
Total Spent to date	\$367,517

Revenues

Maine Drinking Water State Revolving Loan fund principal forgiveness (grant)	\$165,000
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LEGAL REVIEW

Corporate Counsel has reviewed the proposed order as to form.

CONCLUSION(S)

Staff recommends amending Hazen and Sawyer's Professional Engineering contract for design engineering services for the Windham Center Water Storage Tank Replacement. The Committee unanimously voted to move the engineering amendment to the full Board for its consideration.

ATTACHMENT(S)

None



BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 6F Order 22-038
Date of Meeting: September 19, 2022
Subject: Policy for the Acceptance of Septage and Holding Tank Waste Update and Fee Increase
Presented By: Scott Firmin, Director of Wastewater Services

RECOMMENDATION

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

ORDERED, that the Policy for the Acceptance of Septage and Holding Tank Waste is hereby revised in conformance with the Policy attached hereto as Exhibit A, effective January 1, 2023 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

Septage and holding tank waste are generated by non-sewered properties. The Portland Water District has prioritized the acceptance of waste from member communities, Sebago Lake watershed protection areas, Sebago Lake watershed communities, other member communities, and the other communities. The current policy includes a fee for septage, holding tank waste, and an administrative fee for non-member communities. While the wastewater assessment to the City of Portland, for instance, has increased by approximately 30% during this time, fees related to the acceptance of waste have not increased.

The fees related to the acceptance of waste will be increased by 15%, as described below:

- The fees for septage will increase from \$115/1000 gal to \$132/1000 gal.
- The fee for holding tank waste will increase from \$50/1000 gal to \$58/1000 gal.
- The administration fee will increase from \$52/1000 gal to \$60/1000 gal.
- The fee for other waste will be determined based on the relative strength of the waste compared to the most current rates for holding and septage.

The increase in fees will be effective January 1, 2023.

The policy will be updated and the pricing schedule will be removed with reference made to fees to be included in the Fee Schedule for Non Water Tariff Services. A marked-up copy of the policy is included and will be updated to the most current format once approved.

FISCAL REVIEW/ FUNDING

This will increase the expected annual waste acceptance revenue by \$39,700 per year to an anticipated \$310,000 per year.

LEGAL REVIEW

Corporate Counsel has reviewed and approved the form of motion.

CONCLUSION(S)

Staff recommends the update to the policy, the increase to the related fees, and inclusion of the fees in the Fee Schedule for Non Water Tariff Services. The Committee voted 3-0 to forward the item to the full Board for their consideration.

ATTACHMENT(S)

Marked-up Policy for the Acceptance of Septage and Holding Tank Waste

POLICY NUMBER: ~~6-20-03~~6.20-22

SUBJECT: Policy for the Acceptance of Septage and Holding Tank Waste

EFFECTIVE DATE: ~~January 1, 2009~~September 19, 2022

SUPERCEDES: ~~April 1, 2003~~January 1, 2022~~6.20-03~~

APPROVED BY: BOT

Purpose:

The purpose of this policy is to define the District's Policy for the Acceptance of Septage and Holding Tank Wastes. The policy clearly defines the waste characterization and the requirements for the acceptance of waste from sources outside of the Wastewater Member Communities. This policy replaces and incorporates modifications to the Procedures adopted by the Board of Trustees on January 24, 1994.

Definitions:

Septage: Any waste, refuse, effluent, sludge or other material derived from a septic tank, cesspool, vault privy or similar source which concentrates wastes or to which chemicals have been added. **THE PRACTICE OF DECANTING SEPTAGE FOR THE PURPOSES OF DISPOSING OF THE SUPERNATANT AS HOLDING TANK WASTE OR MATERIALS OTHER THAN SEPTAGE IS STRICTLY PROHIBITED. CONCENTRATION OF SEPTAGE MAY RESULT IN ADDITIONAL SURCHARGES TO ACCOUNT FOR THE INCREASED COSTS ASSOCIATED WITH THE TREATMENT OF THE MATERIAL.** Per this definition, portables are considered to be septage.

Holding Tank Waste: Any waste derived from the temporary storage of sanitary waste including those derived from sinks and sanitary plumbing fixtures. Holding Tank Wastes are expected to exhibit pollutant concentrations similar to that of typical domestic wastewater.

Other Waste: Any waste that does not satisfy the definition of Septage or Holding Tank Waste. Other Wastes may include commercial wastes that include materials other than sanitary waste. **Other Wastes must be specifically approved by the District prior to acceptance.** Pricing for the acceptance of Other Wastes will be dependent upon the pollutant concentrations of the waste and will be subject to mutually acceptable pricing.

Classifications and prioritization for the acceptance of Waste from Communities

- 1. Member Community utilizing District Wastewater Services:** A Chartered Member Community contributing wastewater flow to an existing facility (Gorham, Windham, Cumberland, Portland, Westbrook). These Communities will be given first priority base on capacity and the availability of the septage-receiving site. *No Administrative Contract is required*
- 2. Sebago Lake Watershed Protection Area Septic System:** A septic system located within the defined Watershed Protection Area. This area is designated by any property located within 500 feet of Sebago Lake or as may be determined by District. *An Administrative Contract and Fee is required.*
- 3. Sebago Lake Watershed Community:** A non-member or member community (Raymond) that is located within the direct Sebago Lake Watershed boundary. *An Administrative Contract and Fee is required.*

- 4. Member Community with No District Wastewater Services:** A Chartered Member Community, which the District does not collect or treat wastewater and has ownership of their own facility. (Scarborough, Falmouth, South Portland). *These Communities will not be received without a Reciprocity Agreement executed.*
- 5. Other Community:** A non-member community. An Agreement for the acceptance of any waste must be executed with the District prior to the acceptance of waste. *An Administrative Contract and Fee is required.*

ADMINISTRATIVE CONTRACT AND FEE

An Administrative Contract is an agreement that allows communities that do not utilize the District's Wastewater Services to utilize the District's septage receiving facilities for a fee. This agreement is pursuant to 38 MRSA – 1305 -section (6)

Reciprocity Agreement

A reciprocity agreement is an agreement that would allow the district to utilize a member community's Septage receiving facility that are not operated by the District as a backup to District owned facilities and vice versa.

Community Priority

Administrative Contracts and Reciprocity Agreements will be approved, as capacity allows using the following community priorities

- 1. Member Community utilizing District Wastewater Services**
- 2. Sebago Lake Watershed Protection Area Septic System**
- 3. Sebago Lake Watershed Community**
- 4. Member Community with No District Wastewater Services**
- 5. Other Community**

POLICY:

Liquid Wastes are accepted via truck delivery at the Westbrook and East End Wastewater Treatment Facilities. The District has procedures for accepting this waste at each facility that include the operating hours, sampling requirements, and other operational specific items. The Policy defines waste types, the waste acceptance fees, and the procedure for the acceptance of wastes from Non-Member Communities.

- Waste Types are defined in accordance with the defined terms for Septage, Holding Tank Waste, and Other Wastes.
- All wastes will be received in accordance with permit conditions and operational procedures established at each facility.
- Pricing – Acceptance Fees for Septage, Holding Tank Waste, and Other Wastes are established and adopted by the Board of Trustees based upon staff recommendation. Administrative fees are also established and adopted by the Board of Trustees based upon staff recommendation. Pricing is ~~incorporated into the Policy through the Acceptance Fee Schedule and may be amended from time to time by the Board of Trustees.~~ included in the Fee Schedule for Non Water Tariff Services.
- ~~Wastes from Member Communities are accepted according to the waste type as defined in the policy. The hauler is assessed a fee based upon the Current Acceptance Fees.~~

- A Non-Member Community must have an executed Agreement with the District prior to the acceptance of waste from that community. The Non-member Community will be assessed an Administrative Fee in addition to the fee assessed to the hauler according to the waste type.
- A septic system located within the Watershed Protection Area may be accepted without an Agreement with the Community at the District's sole discretion. The Watershed Protection Program may subsidize the acceptance fee and the Administrative Fee in part or in its entirety.

Penalty: Failure to abide by the Policy and/or Procedures may result in a 1-year suspension of the permit to the hauler or Administrative Agreement to the Community. Willful violations may result in revocation of the permit

Appeals and Complaint Procedure:

Appeals: Should the Staff or the General Manager deny any request to bring Septage to a plant the hauler or community may ask the Board of Trustees to review the decision for a final determination.

Complaints: Any complaint or concerns regarding this policy should be communicated initially to the General Manager to be reviewed by Staff. Any Staff decision on the inquiry may be reviewed by the Board of Trustees at the request of the party making the inquiry.

**~~Policy for the Acceptance of Septage and Holding Tank Waste
Acceptance Fee Schedule~~**

- ~~● Septage will be accepted at a rate of \$115.00 per 1,000 gallons.~~
- ~~● Holding Tank Waste will be accepted at a rate of \$50.0.00 per 1,000 gallons.~~
- ~~● Other Waste will be accepted at a rate of \$50.00 to \$115.00 per 1,000 gallons based on pollutant loading~~
- ~~● The Administrative Fee assessed to Non Member Communities and to Member Communities that do not receive an annual wastewater assessment is \$52.00 per 1,000 gallons.~~

~~*All Communities must execute a current Agreement (Administrative Contract) with the District by April 1, 2003 to continue service.*~~



Portland Water District
From Sebago Lake To Casco Bay

BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 6G Order 22-039
Date of Meeting: September 19, 2022
Subject: Request for Contribution of up to \$8,760 to Mahoosuc Land Trust to Support the James Bell Connector Conservation Project
Presented By: Carina Brown, 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 \$8,760 to Mahoosuc Land Trust to support the conservation of land known as the James Bell Connector located in Albany Township.

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 Watershed Land Conservation Policy states the District's commitment to and support for locally initiated land conservation efforts.

The James Bell Connector property is 82 acres and located in Albany Township. Mahoosuc Land Trust plans to purchase the James Bell Connector property for the purpose of conservation. The property is primarily forested and drains to a branch of a tributary to the Crooked River. The property is part of Mahoosuc Land Trust's strategic conservation plan, Crooked River Focus Area, which aims to connect the 12,268-acre Crooked River Headwaters conservation easement and the White Mountain National Forest through conservation easements and fee interests.

ANALYSIS

The recommended contribution was determined using the District's site-specific assessment and is less than the \$10,220 requested by the applicant. The District's conservation value for the parcel is calculated to be \$96,000, and the appraised value of the property is \$73,000. The recommended contribution represents about \$107 per acre of protected land within the watershed. The District's contribution is to be used towards the purchase of the land. The entire property is within the watershed of Sebago Lake.

Mahoosuc Land Trust will purchase the land in fee, grant a conservation easement to the Northeast Wilderness Trust, and grant a right of enforcement of the conservation easement to the District.

FISCAL REVIEW / FUNDING

The recommended contribution of \$8,760 was calculated using the District's site-specific assessment. The contribution will be drawn from 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 supported the recommendation and forwarded it to the full Board for its consideration.

ATTACHMENT(S)

James Bell Connector Report



PORTLAND WATER DISTRICT

Land Conservation Program

Site-Specific Assessment



James Bell Connector Property

Albany Township, Maine

*Report prepared by PWD's Environmental Services Department
August 23, 2022*

James Bell Connector Property Site Walk

Site Visit

Brie Holme and Carina Brown, 7/18/2022

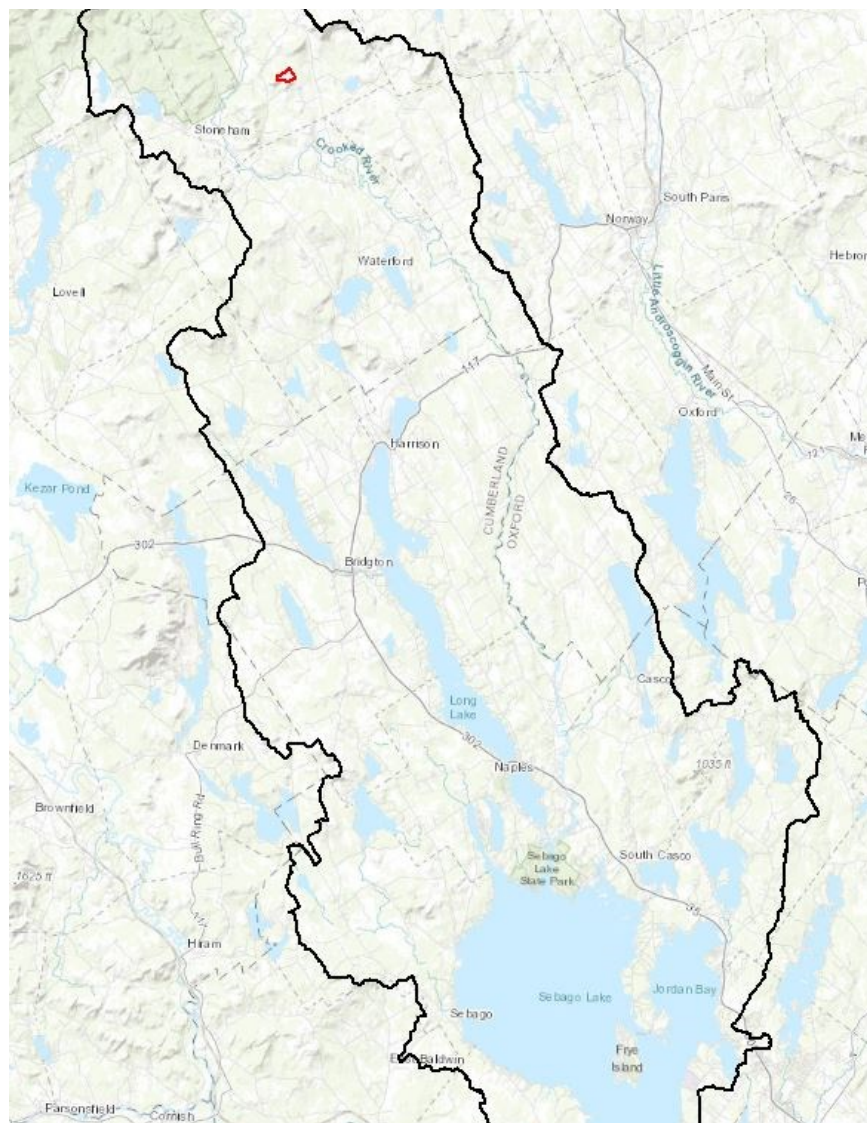
Description

The James Bell Connector project is comprised of 82 acres in the Crooked River watershed located in Albany Township. Mahoosuc Land Trust (MLT) will purchase the property and prioritize biological diversity over any other uses. The James Bell tract abuts MLT's existing Flint Farm conservation easement to the north, and the Flint Mountain parcel to be acquired in a separate transaction to the south, creating an over 400-acre contiguous conservation area. This is part of MLT's strategic conservation plan, the Crooked River Focus Area, which aims to connect the White Mountain National Forest and Crooked River Headwaters through conservation easements and fee interests.

Site Features

Location

The property is located in Albany Township.



James Bell Connector Property Location map

James Bell Connector Property Site Walk

Water Resources

A branch of Flint Brook, which drains to the Crooked River, is on the James Bell Connector property. Flint Brook is recognized by Maine Beginning with Habitat as wild brook trout habitat and by the Sebago Clean Waters Mapper as a wild brook trout priority area.



Branch of Flint Brook

Connection to Sebago Lake

The James Bell Connector parcel is located in the Crooked River watershed and is connected to the Crooked River by a tributary stream. The Crooked River is the largest tributary to Sebago Lake, supplying approximately 40% of surface water inflow to the lake. The river has excellent water quality.

James Bell Connector Property Site Walk

Land Use/Land Cover

The land on this parcel is completely forested. The area that was once partially cut has re-forested.

This property will have permanent “forever wild” status through either a conservation easement or a declaration of trust. Timber harvesting will not be allowed. James Bell Connector contains a mix of mature and young stands. These unmanaged forests will capture and store carbon. Other than vestiges of woods roads and stone walls, there are no manmade features or structures. Management actions, if any, will be primarily limited to ecological restoration of native species, preservation of natural communities and rare species at risk, and maintenance of non-motorized trails. The adjacent Flint Mountain tract, to be acquired in a separate transaction, has a lightly-used hiking trail to the summit with striking views of the White Mountains which can be extended to the James Bell tract. These two parcels encompass the “twin” summits of Flint Mountain. A small parking area will be developed in the future if needed, in addition to roadside parking. Hunting of non-predator species will likely be allowed.



Near one of the twin summits of Flint Mountain



Reforested area of partial cut

Site-Specific Property Assessment

Property Name: James Bell Connector

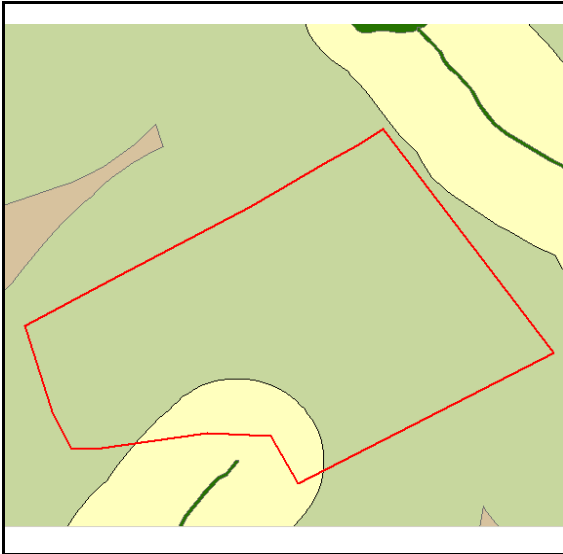
Area (acres): 82

Location: Albany Township

Land Trust: MLT

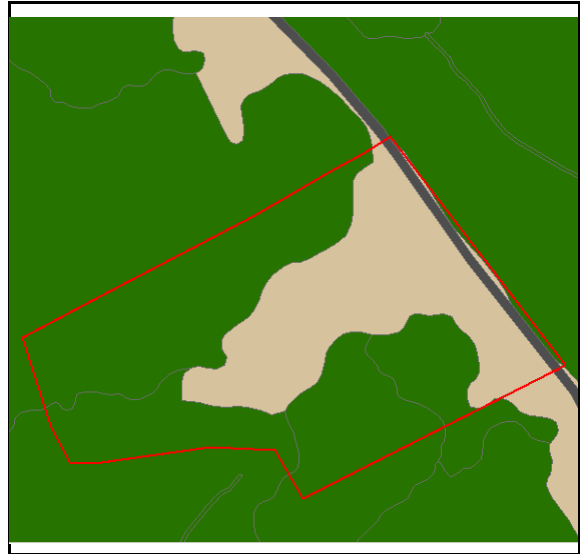
Description: Forested parcel located in Albany Township

Location map



	acres	percent
Prioritization Zone 1	7	9
Prioritization Zone 2	75	91
Prioritization Zone 3	0	0

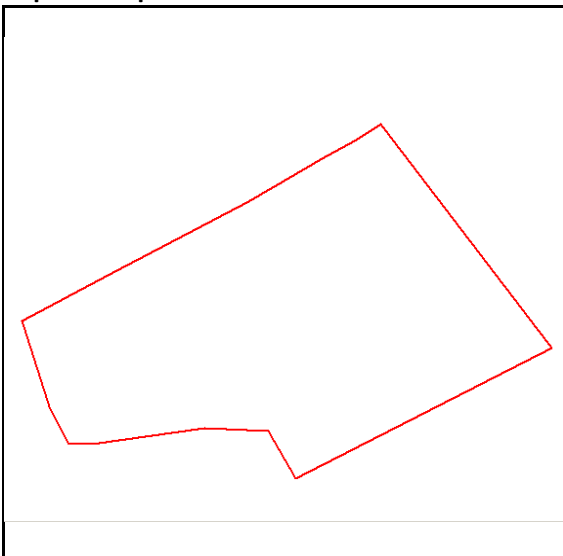
Land cover map



Forest cover	80	acres
	98	percent

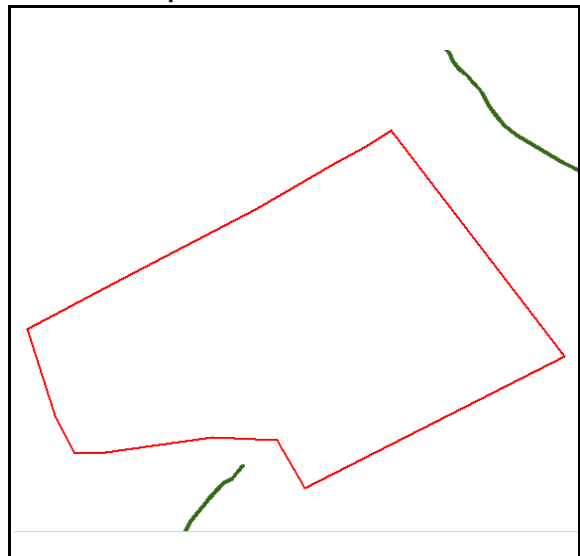
Reforestation of the partial cut (light brown) areas have been verified by aerial imagery and a site walk.

Aquifer map



Sig. sand and gravel	0	acres
aquifers	0	percent

Wetlands map



Mapped wetlands	0	acres
	0	percent

Site-Specific Property Assessment

Property Name: James Bell Connector

Est. Value of Property

\$73,000

PWD Value: \$96,000

Appraisal: \$73,000

Watershed Zone

2

Highest priority zone encompassing at least 25%

Low Percentage of Contribution Range

10 %

Zone I = 15-25%

Zone II = 10-20%

Zone III = 5-15%

Factors

Located in 7 shoreland towns?

No

add 0 %

More than 50% forested

Yes

add 2 %

More than 10% aquifer?

No

add 0 %

More than 20% wetlands?

No

add 0 %

Other (explain)

add %

Calculated contribution (percent)

12 %

Calculated contribution (dollars)

\$8,760

Recommended contribution (dollars)

\$8,760



BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 6H Order 22-040
Date of Meeting: September 19, 2022
Subject: Request for Contribution of up to \$52,632 to Mahoosuc Land Trust to Support the Flint Mountain-Sawin Hill Conservation Project
Presented By: Carina Brown, 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 \$52,632 to Mahoosuc Land Trust to support the conservation of land known as Flint Mountain – Sawin Hill located in Albany Township.

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 Watershed Land Conservation Policy states the District's commitment to and support for locally initiated land conservation efforts.

The Flint Mountain -Sawin Hill property is 349 acres and located in Albany Township. Mahoosuc Land Trust plans to purchase the Flint Mountain-Sawin Hill property for the purpose of conservation. The property is primarily forested and drains to branches of a tributary to the Crooked River. The property is part of Mahoosuc Land Trust's strategic conservation plan, Crooked River Focus Area, which aims to connect the 12,268-acre Crooked River Headwaters conservation easement and the White Mountain National Forest through conservation easements and fee interests.

ANALYSIS

The recommended contribution was determined using the District's site-specific assessment and is less than the \$52,800 requested by the applicant. The District's conservation value for the parcel is calculated to be \$438,600, and the appraised value of the property is \$585,000. The recommended contribution represents about \$151 per acre of protected land within the watershed. The District's contribution is to be used towards the purchase of the land. The entire property is within the watershed of Sebago Lake.

According to the Watershed Land Conservation policy, the details of this project require that the District obtain a real-estate interest. Mahoosuc Land Trust will purchase the land in fee, grant a conservation easement to the Northeast Wilderness Trust, and grant a right of enforcement to the District.

FISCAL REVIEW / FUNDING

The recommended contribution of \$52,632 was calculated using the District's site-specific assessment. The contribution will be drawn from 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 supported the recommendation and forwarded it to the full board for its consideration.

ATTACHMENT(S)

Flint Mountain – Sawin Hill Report



PORTLAND WATER DISTRICT

Land Conservation Program

Site-Specific Assessment



Flint Mountain—Sawin Hill Property

Albany Township, Maine

Report prepared by PWD's Environmental Services Department
August 3, 2022

Flint Mountain-Sawin Hill Property Site Walk

Site Visit

Brie Holme and Carina Brown, 7/18/2022

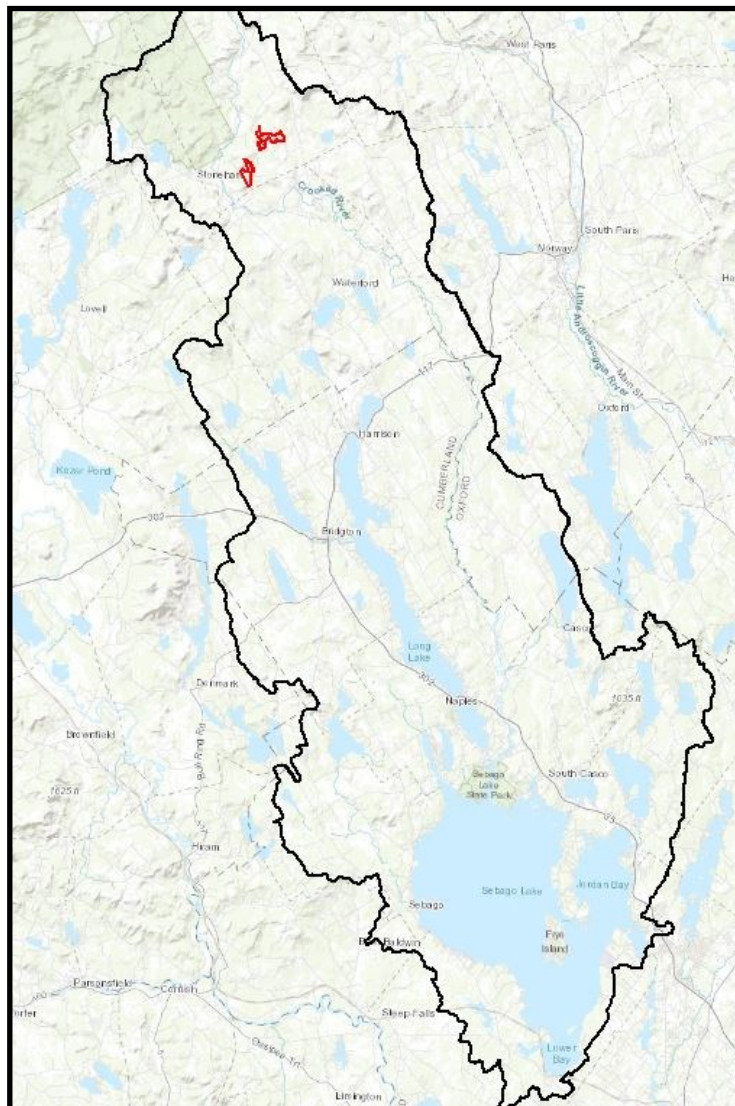
Description

The Flint Mountain-Sawin Hill project is comprised of 349 acres in the Crooked River watershed. The two non-adjacent parcels are located in Albany Township. Mahoosuc Land Trust (MLT) will purchase the properties and prioritize biological diversity over any other uses. Located within the land trust's strategic conservation plan - Crooked River Focus Area, these parcels lie in close proximity (1100 meters) to MLT's 12,268-acre Crooked River Headwaters conservation easement and (1500 meters) to the White Mountain National Forest. MLT seeks to acquire conservation easements and fee interests abutting this project to conserve contiguous tracts connecting Flint Mountain and Sawin Hill to the White Mountain National Forest and Crooked River Headwaters.

Site Features

Location

The properties are located in Albany Township.



Flint Mountain—Sawin Hill Property Location map

Flint Mountain—Sawin Hill Property Site Walk

Water Resources

A branch of Flint Brook drains the land between the two peaks of Flint Mountain into the Crooked River. Flint Brook is recognized by Maine Beginning with Habitat as wild brook trout habitat and by the Sebago Clean Waters Mapper as a wild brook trout priority area. An unnamed stream connects Sawin Hill to the Crooked River.



Flint Mountain—a branch of Flint Brook

Connection to Sebago Lake

The Flint Mountain and Sawin Hill parcels are located in the Crooked River watershed and are each connected to the Crooked River by a tributary stream. The Crooked River is the largest tributary to Sebago Lake, supplying approximately 40% of surface water inflow to the lake. The river has excellent water quality.

Flint Mountain—Sawin Hill Property Site Walk

Land Use/Land Cover

The land on both parcels is completely forested. All areas that were once partially cut have re-forested. A small portion of the Flint Mountain parcel that was once a potato field has also re-forested.

Both tracts will have permanent “forever wild” status through either a conservation easement or a declaration of trust. Timber harvesting will not be allowed. Flint Mountain contains large hardwood stands containing abundant red oak approximately 100 years in age and other “pasture oaks” possibly dating back well into the 1800’s. There has been little or no harvesting in the last 40 years. Sawin Hill contains a mix of mature and young stands. Management actions, if any, will be primarily limited to ecological restoration of native species, preservation of natural communities and rare species at risk, and maintenance of non-motorized trails. Flint Mountain has a lightly-used hiking trail to the summit. The goal for additional trail creation is to ensure public access to the high points of the Sawin Hill without creating overly intensive trail networks. A small parking area (perhaps one for each parcel) will be developed in the future if needed, in addition to roadside parking. Hunting of non-predator species will likely be allowed.



Flint Mountain—former potato field now reforested



Flint Mountain - old partial cut



Sawin Hill

Site-Specific Property Assessment

Property Name: Flint Mountain - Sawin Hill

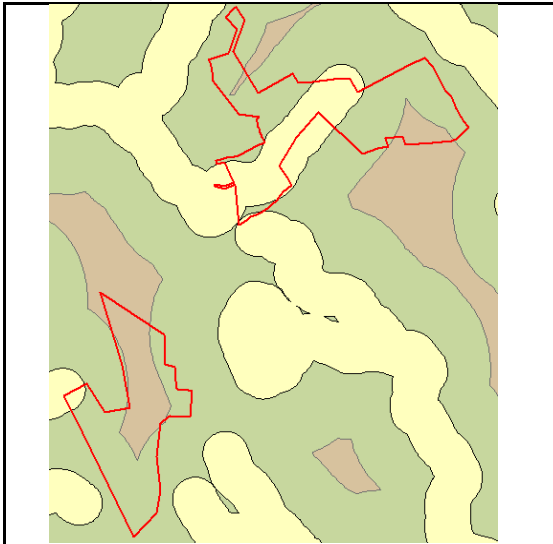
Area (acres): 349

Location: Albany Township

Land Trust: MLT

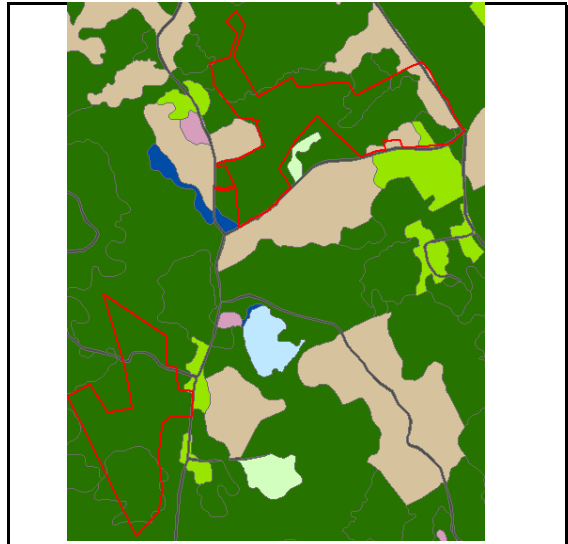
Description: Forested parcels located in Albany Township

Location map



	acres	percent
Prioritization Zone 1	70	20
Prioritization Zone 2	207	59
Prioritization Zone 3	72	21

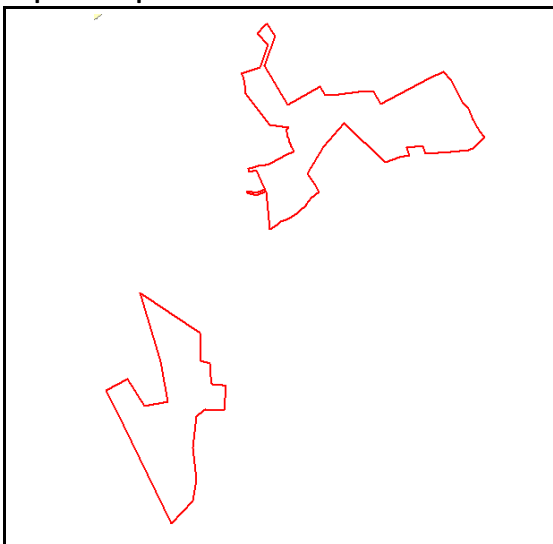
Land cover map



Forest cover	347	acres
	99	percent

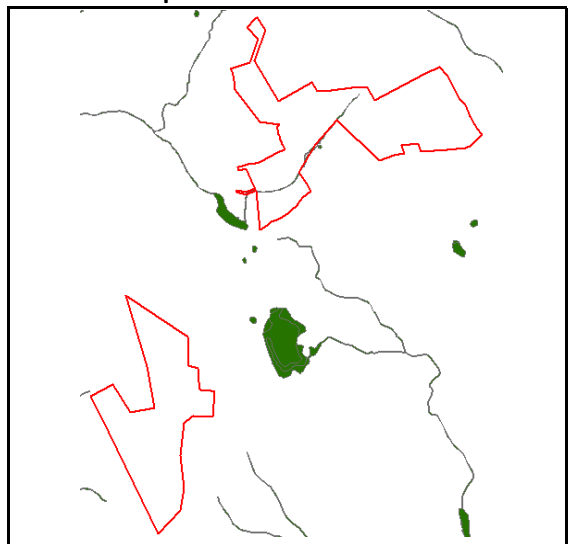
Reforestation of the partial cut (light brown) and agricultural (lime green) areas have been verified by aerial imagery and a site walk.

Aquifer map



Sig. sand and gravel aquifers	0	acres
	0	percent

Wetlands map



Mapped wetlands	2	acres
	1	percent

Site-Specific Property Assessment

Property Name: Flint Mountain - Sawin Hill

Est. Value of Property

\$438,600

PWD Value: \$438,600

Appraisal: \$585,000

Watershed Zone

2

Highest priority zone encompassing at least 25%

Low Percentage of Contribution Range

10 %

Zone I = 15-25%

Zone II = 10-20%

Zone III = 5-15%

Factors

Located in 7 shoreland towns?

No

add 0 %

More than 50% forested

Yes

add 2 %

More than 10% aquifer?

No

add 0 %

More than 20% wetlands?

No

add 0 %

Other (explain)

add %

Calculated contribution (percent)

12 %

Calculated contribution (dollars)

\$52,632

Recommended contribution (dollars)

\$52,632