

**AGENDA**  
**PORTLAND WATER DISTRICT**  
**225 Douglass Street, Portland, Maine**  
**Jeff P. Nixon Training Center**  
**6:00 p.m., Monday, September 25, 2017**

- |    |   |                                    |
|----|---|------------------------------------|
| 1. | <u>Convene Meeting</u> with Pledge of Allegiance and moment of silence.   | President Lunt                     |
| 2. | <u>Roll Call</u>  | Clerk                              |
| 3. | <u>Acceptance of Minutes</u> of Regular Meeting of July 24, 2017, and the Workshop Meeting of August 14, 2017 and September 11, 2017.   | President Lunt                     |
| 4. | <u>Invitation for Public Comment</u>  | President Lunt                     |
| 5. | <u>Reports:</u>   |                                    |
|    | ▪ Operations Committee Reports  | Trustee Douglas                    |
|    | ▪ Planning Committee Reports  | Trustee Levinsky                   |
|    | ▪ Administration & Finance Committee Reports  | Trustee Garrison                   |
|    | ▪ General Manager's Report  | General Manager                    |
| 6. | <u>New Business</u>   |                                    |
|    | <b>A. <u>Public Hearing</u></b> regarding the issuance of sewer bonds to finance upgrades to the Northeast Pump Station and related infrastructure.   | Administration & Finance Committee |
|    | <b>B. <u>Resolution 17-010</u></b> authorizing issuance of up to \$550,000 in bonds to finance upgrades to the Northeast Pump Station and related infrastructure.   | Administration & Finance Committee |
|    | <b>C. <u>Order 17-024</u></b> authorizing the comprehensive engineering method for the procurement of engineering services for the Cape Elizabeth Wastewater Treatment Facility Headworks Heating and Ventilation Design Project.   | Operations Committee               |
|    | <b>D. <u>Order 17-025</u></b> authorizing an easement swap in Gorham.   | Planning Committee                 |
|    | <b>E. <u>Order 17-026</u></b> authorizing a contribution to the Western Foothills Land Trust.   | Planning Committee                 |
|    | <b>F. <u>Resolution 17-011</u></b> establishing a Special Election for the Trustee Representing Portland.   | President Lunt                     |
| 7. | <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 Lunt                     |
| 8. | <u>Other Business.</u> 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. Katsiaficas  
Clerk

**Portland Water District**  
**Board of Trustees Regular Meeting**  
**September 25, 2017**

**New Business**  
**Agenda Items 6A-6F**



Portland Water District  
*From Sebago Lake To Casco Bay*

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

Agenda Item: 6A-6B Resolution 17-010  
Date of Meeting: September 25, 2017  
Subject: Sewer Bond – Portland: Northeast Pump Station Odor Control (\$550,000)  
Presented By: David Kane, Director of Administration

---

### **RECOMMENDATION**

The following language is proposed for Board of Trustee approval:

RESOLVED, the issuance of up to \$550,000 in Sewer Bonds to finance upgrades to the Northeast Pump Station and related infrastructure located in Portland is hereby authorized. 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 Northeast Pump Station is the largest wastewater pumping facility in the system (50 MGD). The proposed project would install an odor scrubber similar to the system in operation at the India Street Station to mitigate odors. At the Board's June 26, 2017 meeting, the Board voted to install the system with a budget of up to \$550,000.

The Administration and Finance Committee reviewed at their September 11, 2017 meeting and recommended the motion be forwarded to the full Board for its consideration.

### **FISCAL REVIEW / FUNDING**

The bond is proposed to be issued through the Maine Municipal Bond Bank's General Resolution program. The estimated debt service schedule is attached. It indicates that the first full year's debt service payment would be \$44,600. Future financial impact was incorporated into the assessment forecast provided to the City of Portland.

### **LEGAL REVIEW**

Corporate Counsel has reviewed the proposed Resolution as to form.

### **ATTACHMENTS**

- A. Full Form of Motion – Bond Authorization
- B. Debt Service Amortization Schedule – Loan for \$550,000

**PORTLAND WATER DISTRICT  
RESOLUTION OF BOARD OF TRUSTEES  
AUTHORIZING SEWER BONDS IN THE  
PRINCIPAL AMOUNT NOT TO EXCEED \$550,000**

**WHEREAS**, the Portland Water District (the “District”) intends to finance the Costs (as defined herein) of infrastructure upgrades and improvements at the Northeast Pump Station located in Portland (the “Project”);

**WHEREAS**, the District desires to finance the Costs of such Project by issuing its sewer bonds in the maximum aggregate amount of \$550,000 and to borrow such money through the Maine Municipal Bond Bank’s Clean Water State Revolving Loan Fund program or its general borrowing program or other qualified purchaser of the bonds or a combination thereof;

**NOW THEREFORE, BE IT HEREBY RESOLVED** by the Board of Trustees of the Portland Water District (the “Board”) Assembled, following a public hearing duly called, noticed and held under District Policy No. 6.50-15:

**THAT:** Pursuant to the District’s Charter, Chapter 84 of the Private and Special Laws of 1975 and all amendments thereof and acts additional thereto, and all other authority thereto enabling, there is hereby authorized and approved the issuance of the District’s sewer bonds in an aggregate principal amount not to exceed \$550,000, the proceeds of which are appropriated for and shall be used to finance the Costs of the Project (the “Bonds”).

**THAT:** The Bonds may be issued through a public offering or through one of the Maine Municipal Bond Bank’s State Revolving Loan Fund programs or its general borrowing program or other qualified purchaser of the bonds or a combination thereof.

**THAT:** The Bonds may be issued in serial form or as term bonds, or some combination thereof, and may be issued at one time or from time to time, in an amount not to exceed the aggregate amount authorized herein, and shall mature at such times (but not to exceed 40 years from the date(s) of issuance), shall be dated, shall bear interest at such rate or rates, and otherwise shall be in such form and contain such other terms and provisions as the Treasurer may approve, subject to the provisions of the law, the District’s Charter and these Resolutions, such approval to be conclusively evidenced by his execution thereof.

**THAT:** The Treasurer is authorized to borrow money in anticipation of said Bonds by the issuance and sale of notes or renewal notes in anticipation thereof and to determine the date, form, interest rate, maturities and all other details of each issue of notes, including the form and manner of their sale and award, subject to the provisions of the law, the District’s Charter and these Resolutions.

**THAT:** The Treasurer be and hereby is authorized to provide that any of the Bonds and notes hereinbefore authorized be made callable, with or without premiums, prior to their

maturity, and each Bond or note issued hereunder shall be signed by the Treasurer and the President of the Board of Trustees, and shall be sealed with the seal of the District, attested to by its Clerk.

**THAT:** The Treasurer and President of the Board of Trustees from time to time shall execute such bonds as may be required to provide for exchanges or transfers of Bonds heretofore authorized, all such Bonds to be signed as provided in the next preceding paragraph.

**THAT:** The Bonds and notes may be sold on a competitive or negotiated basis or a combination thereof.

**THAT:** The Treasurer be and hereby is authorized to select the underwriter for such Bonds and notes and the Treasurer be and hereby is authorized and empowered to execute and deliver such contracts or agreements as may be necessary or appropriate in connection therewith.

**THAT:** The Treasurer be and hereby is authorized to prepare, or cause to be prepared, a Preliminary Official Statement and an Official Statement for use in the offering and sale of such Bonds and notes, such Preliminary Official Statement and Official Statement to be in such form and contain such information as may be approved by the Treasurer, with the advice of bond counsel for the District, and that the use and distribution of the Preliminary Official Statement and the Official Statement in the name of and on behalf of the District in connection with offering such Bonds and notes for sale be and hereby is approved.

**THAT:** If the Bonds or notes (or any portion thereof) are issued to the Maine Municipal Bond Bank (the "Bond Bank") pursuant to the State's Clean Water Revolving Loan Fund program established under Title 30-A, §§5953-A and 6006-A, or its general borrowing program established under Title 30-A, §5953, the Treasurer and the President of the Board of Trustees be and hereby are authorized and empowered, in the name and on behalf of the District, to execute and deliver, under the seal of the District attested by its Clerk, one or more loan agreements between the District and the Bond Bank providing for loans from the Bond Bank to the District in an amount not to exceed such amount, said loan agreements to be in the usual and ordinary form utilized by the Bond Bank in connection with the Clean Water Revolving Loan Fund program or its general borrowing program, which is hereby approved, and to contain such other terms and provisions, not contrary to the general tenor hereof, as the Treasurer of the District and the President of the Board of Trustees may approve, their approval to be conclusively evidenced by the execution thereof.

**THAT:** The Treasurer be and hereby is authorized to select the registrar, paying agent and transfer agent (the "Transfer Agent") for the Bonds and notes hereinbefore authorized and to execute and deliver such contracts and agreements as may be necessary or appropriate to secure their services.

**THAT:** If the Bonds and notes (or any portion thereof) hereinbefore authorized are issued on a tax-exempt basis, the Treasurer be and hereby is authorized to covenant and certify in the name of and on behalf of the District that no part of the proceeds of the issue and sale

of such Bonds and notes shall be used directly or indirectly (a) to acquire any securities or obligations, the acquisition of which would cause such Bonds or notes to be “arbitrage bonds” within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the “Code”), or (b) to cause such notes or Bonds to be “private activity bonds” within the meaning of Section 141 of the Code.

**THAT:** If the Bonds and notes (or any portion thereof) hereinbefore authorized are issued on a tax-exempt basis, the Treasurer, with the advice of bond counsel, be and hereby is authorized to designate such Bonds and notes as qualified tax-exempt obligations for purposes of Section 265(b)(3) of the Code, to the extent such designation is available and permissible under said Section 265(b)(3).

**THAT:** If the Bonds and notes (or any portion thereof) hereinbefore authorized are issued on a tax-exempt basis, the officers executing such Bonds and notes be and hereby are individually authorized to covenant and agree, in the name of and on behalf of the District, for the benefit of the holders of such Bonds or notes, that the District will file any required reports and take any other action that may be necessary to ensure that interest on the Bonds or notes will remain exempt from federal income taxation, and that the District will refrain from any action that would cause interest on such Bonds or notes to be subject to federal income taxation.

**THAT:** The term “Cost” or “Costs” as used herein and applied to the Project, or any portion thereof, includes, but is not limited to (1) the purchase price or acquisition cost of all or any portion of the Project; (2) the cost to design, construct, renovate, improve, furnish and equip the Project; (3) the cost of land, easements and other real property interests, landscaping and site preparation, all appurtenances and other fixtures, facilities, buildings and structures either on, above, or under the ground which are used or usable in connection with the Project; (4) the cost of feasibility studies, surveys, environmental studies and assessments, engineering, plans and specifications, legal and other professional services associated with the Projects; and (5) issuance costs, including premiums for insurance, capitalized interest and other fees and expenses relating to the financing transaction..

**THAT:** The investment earnings on the proceeds of the Bonds and notes hereinbefore authorized, if any, and the excess proceeds of such Bonds and notes (including premium), if any, be and hereby are appropriated for the following purposes, such proceeds to be held and applied in the order of priority determined by the Treasurer for the following purposes:

1. To any Costs of the Project in excess of the principal amount of the Bonds or notes;
2. If issued on a tax-exempt basis, in accordance with applicable terms and provisions of the Arbitrage and the Use of Proceeds Certificate delivered in connection with the sale of the Bonds or notes;
3. To pay debt service on the Bonds; and
4. To the District’s general fund.

**THAT:** The District covenants to establish, maintain and collect fees, charges and assessments for sewer and wastewater services furnished by the District, to pay when due current expenses of operating and maintaining the sewer system and to pay when due principal, interest and premium, if any, of all outstanding sewer indebtedness, including any Bonds hereinabove authorized, created or assumed by the District to provide a waste water and sewage system or otherwise for sewer purposes.

**THAT:** The Treasurer, President of the Board of Trustees and Clerk and other proper officials of the District be, and hereby are authorized and empowered in its name and on its behalf to do or cause to be done all such acts and things, and to execute, deliver, file, approve, and record all such financing documents, contracts, agreements, deeds, assignments, certificates, memoranda, abstracts, and other documents as may be necessary or advisable, with the advice of counsel for the District, to carry out the provisions of the resolutions heretofore adopted at this meeting in connection with the Project, the issuance, execution, sale, and delivery by the District of the Bonds and the execution and delivery of the documents, including the entering into of a loan agreement or an interim loan agreement with the Bond Bank, should the Bonds and notes (or any portion thereof) be purchased by the Bond Bank.

**THAT:** If the Treasurer, President of the Board of Trustees or Clerk are for any reason unavailable to approve and execute the Bonds and notes hereinbefore authorized, or any of the bond documents to be delivered with respect thereto, the person or persons then acting in any such capacity, whether as an assistant, a deputy, on an interim basis or otherwise, is authorized to act for such official with the same force and effect as if such person had herself performed such act.

**THAT:** If any of authorized representatives of the District who have signed or sealed the Bonds and notes hereinbefore authorized shall cease to be such officers or officials before the Bonds or notes so signed and sealed shall have been actually delivered by the District and / or authenticated, such Bonds or notes nevertheless may be issued, delivered and authenticated with the same force and effect as though the person or persons who signed or sealed such Bonds notes had not ceased to be such officer or official. also any such Bonds or notes may be signed and sealed in the name of and on behalf of the District by those persons who, at the actual date of the execution of such Bonds or notes, shall be the proper officers and officials of the District, although at the nominal date of such Bonds or notes any such person shall not have been such officer or official.

**THAT:** If the Bonds or notes authorized hereunder, or any portion of them, are issued through the Clean Water Revolving Loan Fund Program, the following resolutions required by Section C(4)(e) of the State of Maine Revolving Loan Fund Rules, Chapter 595, Department of Environmental Protection and the Bond Bank (the “SRF Regulations”), and governing any loan to be made to the District under the State Revolving Loan Fund Program be and hereby are adopted with respect to the said Bonds or notes issued through the Clean Water Revolving Loan Fund Program:

(1) that a Project Account shall be created for the Project which shall be separate from all other accounts of the District. If operating revenues are to be used to retire the debt, a sub-account will be established.

(2) that the Project Account shall be maintained in accordance with standards set forth by the Maine Municipal Bond Bank and in accordance with generally accepted government account standards.

(3) that a final accounting shall be made to the Bond Bank of the total cost of the Project upon completion of the Project performance certification as set out in Section G(3) of the SRF Regulations and the District acknowledges that the Bond Bank reserves the right at its sole discretion to be provided with a cost certification of the Project as built.

(4) that an annual audit of the District, prepared by a certified public accountant or licensed public accountant be provided to the Bond Bank for the term of the loan.

(5) that the District shall maintain insurance coverage on the Project in an amount adequate to protect the Bond Bank's interest for the term of the loan with the Bond Bank named as loss payee.

(6) that the District will comply with any special conditions specified by the Department of Environmental Protection's environmental determination until all financial obligations to the State have been discharged.

(7) that the District certify to the Bond Bank that it has secured all permits, licenses and approvals necessary and that it has a dedicated source of revenue for repayment.

(8) that the District establish a rate, charge or assessment schedule in order to pay principal and interest. Such rate change or schedule shall provide total operations and debt service coverage at a level at which the coverage for the Bond Bank is sufficient.

(9) that the District must demonstrate the ability to pay reasonably anticipated costs of operating and maintaining the financed Project.

(10) that the District abide by the SRF Regulations, as revised and amended and relevant State statutes of the State of Maine.

**THAT:** During the term any of the Bonds are outstanding, in order to obtain additional debt service savings, the Treasurer be and hereby is authorized to issue and deliver refunding bonds, on either a current or advance refunding basis, to refund some or all of the Bonds then outstanding, and to determine the date, form, interest rate, maturities (not to exceed 40 years from the date of issuance of the original Bonds) and all other details of such refunding bonds, including the form and manner of their sale and award. The Treasurer be and hereby is further authorized to provide that any of such refunding bonds hereinbefore authorized be made callable, with or without premium, prior to their stated date(s) of maturity, and to make such designation or determination of such refunding bonds as he is authorized to make with respect to the original Bonds, and each refunding

bond issued hereunder shall be signed by the Treasurer and the Chairman of the Board of Trustees, and shall be sealed with the seal of the District, attested to by its Clerk.

## Maine Municipal Bond Bank

### Maine Municipal Bond Bank

### Estimate of Borrowing

Prepared via [www.mmbb.com](http://www.mmbb.com) on:

July 12, 2017

Date	Principal	Rate	Interest	Total Payment	FY Total
05/1/2018			\$8,639.13	\$8,639.13	
11/1/2018	\$27,500.00	1.8000%	\$8,387.50	\$35,887.50	\$44,526.63
05/1/2019			\$8,140.00	\$8,140.00	
11/1/2019	\$27,500.00	1.9000%	\$8,140.00	\$35,640.00	\$43,780.00
05/1/2020			\$7,878.75	\$7,878.75	
11/1/2020	\$27,500.00	2.0000%	\$7,878.75	\$35,378.75	\$43,257.50
05/1/2021			\$7,603.75	\$7,603.75	
11/1/2021	\$27,500.00	2.1000%	\$7,603.75	\$35,103.75	\$42,707.50
05/1/2022			\$7,315.00	\$7,315.00	
11/1/2022	\$27,500.00	2.2000%	\$7,315.00	\$34,815.00	\$42,130.00
05/1/2023			\$7,012.50	\$7,012.50	
11/1/2023	\$27,500.00	2.3000%	\$7,012.50	\$34,512.50	\$41,525.00
05/1/2024			\$6,696.25	\$6,696.25	
11/1/2024	\$27,500.00	2.4000%	\$6,696.25	\$34,196.25	\$40,892.50
05/1/2025			\$6,366.25	\$6,366.25	
11/1/2025	\$27,500.00	2.7000%	\$6,366.25	\$33,866.25	\$40,232.50
05/1/2026			\$5,995.00	\$5,995.00	
11/1/2026	\$27,500.00	2.8000%	\$5,995.00	\$33,495.00	\$39,490.00
05/1/2027			\$5,610.00	\$5,610.00	
11/1/2027	\$27,500.00	3.0000%	\$5,610.00	\$33,110.00	\$38,720.00
05/1/2028			\$5,197.50	\$5,197.50	
11/1/2028	\$27,500.00	3.2000%	\$5,197.50	\$32,697.50	\$37,895.00
05/1/2029			\$4,757.50	\$4,757.50	
11/1/2029	\$27,500.00	3.3000%	\$4,757.50	\$32,257.50	\$37,015.00
05/1/2030			\$4,303.75	\$4,303.75	
11/1/2030	\$27,500.00	3.4000%	\$4,303.75	\$31,803.75	\$36,107.50
05/1/2031			\$3,836.25	\$3,836.25	
11/1/2031	\$27,500.00	3.6000%	\$3,836.25	\$31,336.25	\$35,172.50
05/1/2032			\$3,341.25	\$3,341.25	
11/1/2032	\$27,500.00	3.8000%	\$3,341.25	\$30,841.25	\$34,182.50
05/1/2033			\$2,818.75	\$2,818.75	
11/1/2033	\$27,500.00	3.9000%	\$2,818.75	\$30,318.75	\$33,137.50
05/1/2034			\$2,282.50	\$2,282.50	
11/1/2034	\$27,500.00	4.0000%	\$2,282.50	\$29,782.50	\$32,065.00
05/1/2035			\$1,732.50	\$1,732.50	
11/1/2035	\$27,500.00	4.1000%	\$1,732.50	\$29,232.50	\$30,965.00
05/1/2036			\$1,168.75	\$1,168.75	
11/1/2036	\$27,500.00	4.2000%	\$1,168.75	\$28,668.75	\$29,837.50
05/1/2037			\$591.25	\$591.25	
11/1/2037	\$27,500.00	4.3000%	\$591.25	\$28,091.25	\$28,682.50
<b>TOTALS</b>	<b>\$550,000.00</b>		<b>\$202,321.63</b>	<b>\$752,321.63</b>	



Portland Water District  
*From Sebago Lake To Casco Bay*

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

Agenda Item: 6C Order 17-024  
Date of Meeting: September 25, 2017  
Subject: Engineering Method Approval – CEWWTF Headworks Heating and Ventilation Design  
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 Cape Elizabeth WWTF Headworks Heating and Ventilation Design 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.

### **BACKGROUND ANALYSIS**

Pursuant to the District's Purchasing Policy, staff is seeking approval from the Board of Trustees to procure engineering services for detailed design of the headworks area ventilation upgrades for the Cape Elizabeth WWTF. The Comprehensive Method for engineering would result in one engineering consulting firm that would provide all the engineering services for the project from design to startup of the upgrade.

The detailed design effort will include development of plans and specifications to upgrade the ventilation and heating systems in the headworks area of the plant. This upgrade will replace equipment that has reached the end of its useful life and bring the ventilation system into compliance with current codes and industry guidelines. Staff estimates that the cost for detailed design to be \$25,000. Pending approval of the proposed construction project in 2018 (proposed project #2571), it is estimated that another \$250,000 will be needed for construction and construction phase engineering. The estimates for engineering and construction are based on concept level planning completed as part of the ongoing WWTF HVAC systems evaluation effort.

Once the Comprehensive Method is approved, staff will issue a request for proposals. It is expected that a recommendation will be offered to the Board for design of the upgrades in December 2017.

**FISCAL REVIEW/ FUNDING**

The project was included in the 2017 CIP, Project 2570. Engineering and construction costs are currently planned for bond financing.

**LEGAL REVIEW**

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

**CONCLUSION(S)**

Staff recommends the Comprehensive Method be utilized to design and build this project. The Committee voted 3-0 to forward to the full Board for their consideration.

**ATTACHMENTS**

None.



Portland Water District  
*From Sebago Lake To Casco Bay*

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

Agenda Item: 6D Order 17-025  
Date of Meeting: September 25, 2017  
Subject: Easement Swap – Libby Road – Gorham  
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 Charles Hamblen for a portion of the access easement off Libby Road in Gorham in return for an easement in the proposed roadway of Mr. Hamblen's development, and further 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**

Robert Hamblen is proposing a new 5-lot subdivision on land located on the Libby Road in Gorham as shown on the attached map. The District has an access easement that runs through the property to get to the two water transmission mains that run through the rear of the property. The existing access road will run through three of the proposed house lots. During discussions with Mr. Hamblen, the District has agreed to release a portion of the access easement running through the house lots. Mr. Hamblen in return has agreed to grant a new easement in the proposed roadway of the new subdivision and a strip of land from the end of the road back onto the existing access road.

Staff has determined that this relocated access easement will continue to provide adequate access to the transmission mains. Therefore, staff is recommending that the Board of Trustees authorize the General Manager to release the portion of the old easement to make this happen.

### **FISCAL REVIEW / FUNDING**

The proposed easement swap will not involve any cash payments.

### **LEGAL REVIEW**

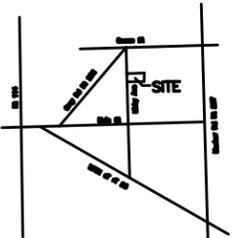
Corporate Counsel will review the proposed deeds prior to execution.

### **CONCLUSION(S)**

Staff recommends that PWD proceed with the proposal described above. The Committee voted 2-0 to forward to the full Board for their consideration.

### **ATTACHMENTS**

Plan



LOCUS  
(NTS)

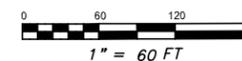


NOTES:

- 1) APPLICANT: ROBERT HAMBLEN  
SACO, MAINE 04072
- 2) RECORD OWNER: CHARLES HAMBLEN  
GORHAM, MAINE 04038
- 3) TAX MAP 47/LOT 23
- 4) SEWAGE DISPOSAL: ON-SITE SUBSURFACE
- 5) WATER: PUBLIC (PWD)
- 6) PROPOSED LOT SIZE: 20,000 S.F. MINIMUM
- 7) ROADWAY: PUBLIC



PROPOSED  
CLUSTER CONCEPT  
FOR  
ROBERT HAMBLEN  
ON  
LIBBY AVENUE, GORHAM, ME. 04038





Portland Water District  
*From Sebago Lake To Casco Bay*

**BOARD OF TRUSTEES / AGENDA ITEM SUMMARY**

Agenda Item: 6E Order 17-026  
Date of Meeting: September 25, 2017  
Subject: Request for contribution of up to \$2,420 to Western Foothills Land Trust to support the conservation of 16-acre Hawk Mountain parcel 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 \$2,420 to the Western Foothills Land Trust, to support the conservation of the 16-acre Hawk Mountain 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 Hawk Mountain conservation project is a 16-acre parcel 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 the 16-acre lot will create a contiguous area of 183 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 recommended contribution was determined using the District's site-specific analysis and is less than the \$12,255 requested by the land trust. The District's conservation value for the parcel is calculated to be \$16,000. The contribution of \$2,420 represents about \$150 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 \$2,420 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 2013 Watershed Land Conservation Policy. The Committee voted 2-0 to send this to the full Board for their consideration.

**ATTACHMENT(S)**

Letter of request from Western Foothills Land Trust  
Hawk Mountain Report



July 13, 2017

Portland Water District  
225 Douglas Street  
Portland ME 04104-3553

Dear Portland Water District,

The Western Foothills Land Trust (WFLT) is requesting PWD support for land conservation for the Hawk Mtn LLC 16- acre donation at Hawk Mtn. in Waterford, which lies in the Crooked River Watershed. We are requesting \$12,255 from the PWD fund for estimated stewardship and closing costs. Hawk Mtn. LLC is donating the 16-acre parcel which has been appraised recently by Tim Clough at \$75,000.

The parcel, which sits just below the Hawk Mountain lookout to the south, and high above and draining into Crystal Lake, was destined for development by Eddie Rolfe as 5 or 6 view lots. It was purchased by the current owner on the eve of the recession in 2007. Fortunately for all of us who enjoy swimming in Crystal Lake, the view of Hawk Mountain from 117, and hiking to the lookout at Hawk Mountain, the owners have decided to not pursue development and are going to donate the land to the Western Foothills Land Trust this year.

The 16-acre parcel is adjacent to the 20+-acre lookout parcel owned by Town of Waterford and is also adjacent to the 147-acre Hatch Preserve at Hawk Mountain owned by the Trust. It will be managed as a restoration project initially in concert with NRCS recommendations, and in decades will be managed with the Hatch Preserve as part of a working forest. Due to ATV concerns, WFLT does not plan managing trails on the site at this time.

An additional abutter, Col. Errol Briggs, has offered to donate the fee on 27 acres that he owns to the west of the Hatch Preserve, lands that include wetlands and shoreline on Mud Pond. The Trust is working on this project currently and hopes to complete that acquisition in late 2017 or early 2018. Together that would provide protection for 210 acres of the old Hamlin Farm.

Sincerely,

A handwritten signature in black ink, appearing to read "Lee Dassler", with a long, sweeping horizontal line extending to the right.

Lee Dassler

Executive Director

# PORTLAND WATER DISTRICT

*Land Conservation Initiative*  
*Site-Specific Assessment*



## Hawk Mountain Waterford, Maine



This report was prepared by PWD's  
Environmental Services Department  
August 22, 2017

**Hawk Mountain, Waterford, ME**  
**Site Visit by Laurel Jackson, 7/18/17**

**Description**

The 16-acre Hawk Mountain is located on the side of Hawk Mountain and had previously been intended for development into residential house lots. The owners decided to, instead, donate the land to the Western Foothills Land Trust. It is adjacent to 147 acres of WFLT conservation land and 20 acres of land owned by the town of Waterford. Hawk Mountain is a popular location for hiking and recreation.

**Site Features**

**Location**

The property is located in the town of Waterford, at the end of Hawk Mountain Road.

**Land Use/Land Cover**

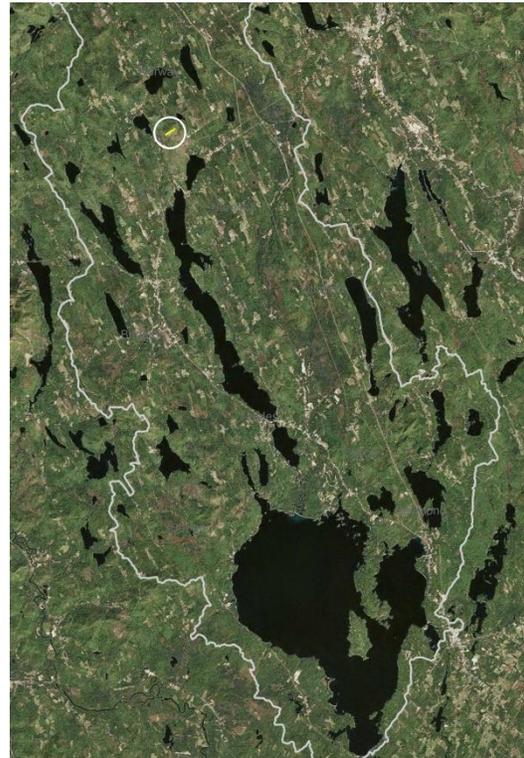
The land was previously partially cleared for development. It currently contains a gravel road that leads to 5-6 building lots. It is mixed forest and low scrubland between the lots. The Trust will pursue restoration to mitigate erosion, encourage growth of native vegetation and promote water quality protection.

**Water Resources**

The parcel has no mapped water resources.

**Connection to Sebago Lake**

The land to be conserved drains to Long Lake, either directly via the Bear River or first to Crystal Lake then to Long Lake. Long Lake flows into Brandy Pond which then flows into Sebago Lake via the Songo River.



**SITE-SPECIFIC PROPERTY ASSESSMENT**

Property Name

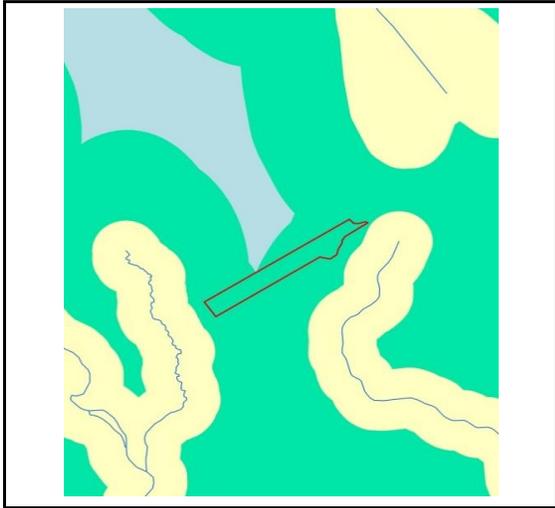
Area (acres)

Location

Land Trust

Description

**Location map**



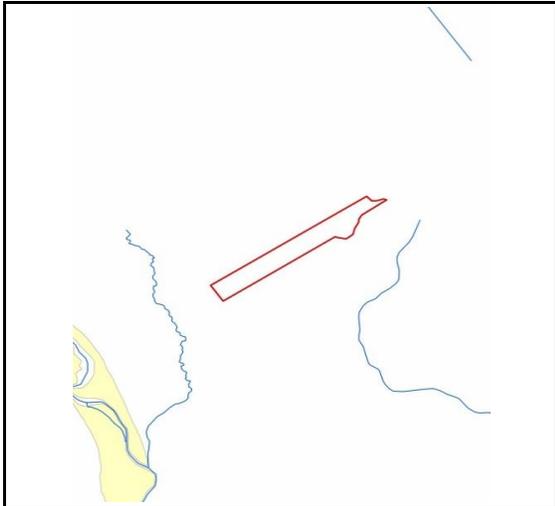
**Land cover map**



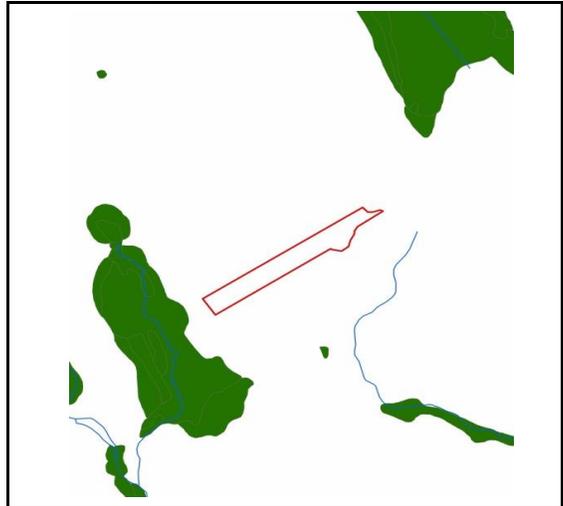
	acres	percent
<b>Prioritization Zone 1</b>		
<b>Prioritization Zone 2</b>	16	100
<b>Prioritization Zone 3</b>		

<b>Forest cover</b>	7	acres
	43	percent

**Aquifer map**



**Wetlands map**



<b>Sig. sand and gravel aquifers</b>	0	acres
	0	percent

<b>Mapped wetlands</b>	0	acres
	0	percent

**SITE-SPECIFIC PROPERTY ASSESSMENT**

Property Name

**Est. Value of Development Rights**

PWD Value: \$ 16,000 (16 acres \* \$1,000/acre)

Appraisal: \$75,000

**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: 6F Resolution 17-011  
Date of Meeting: September 25, 2017  
Subject: Special Election for the Trustee Representing Portland  
Presented By: President William Lunt III

---

A Trustee seat on the Board representing the City of Portland is vacant due to the resignation of Nisha Swinton. Pursuant to the District's Charter, the vacancy must be filled by a special election; the District is responsible for the costs of the election. Trustee Swinton's term was scheduled to expire in November of 2018.

The Portland City Clerk has been consulted. It is too late to have the Trustee position filled by election on the November ballot. The next available election at the municipal level is the election on the school budget. This will take place in either May or June of 2018.

In order to minimize the costs of the election to the District, and to assure a higher voter turnout, it is suggested that the special election occur in either May or June, 2018 at the same time as the municipal elections on the school budget in Portland. Under the Portland City Charter, the earliest the election could be held is January if the Board chooses to hold an election at an earlier date.

Trustees Willey, Libby and Levinsky presently represent the City of Portland, therefore the residents of the City continue to have representation on the Board.

The following motion is proposed:

**BE IT RESOLVED**, that the Clerk of the City of Portland is hereby requested to hold an election for the vacant Trustee position on the Board of the Portland Water District at the municipal election scheduled either May or June, 2018.