

As voted by the Board of Trustees and in accordance with the notice of the meeting, the Regular Meeting of the Board of Trustees of the Portland Water District was held at the Jeff P. Nixon Training Center, 225 Douglass Street, Portland, Maine, and via Zoom, on Monday, May 22, 2023. Attending from staff were S. Garrison, C. Crovo, D. Kane, S. Firmin, J. Wallace, J. Hudak, C. Cote, D. Katsiaticas, and M. Demers.

The meeting was convened by President Lunt at 6:01 p.m.

### **ROLL CALL**

The roll was called by the Clerk. All Trustees were present except Trustee Beck. Trustee Cote joined the meeting via Zoom.

### **ACCEPTANCE OF MINUTES**

Trustee Willett motioned to accept the minutes of the April 24, 2023, Regular Meeting, seconded by Trustee Siviski. It was voted all in favor.

Trustee Siviski motioned to accept the minutes of the May 8, 2023, Workshop Meeting, seconded by Trustee Willett. It was voted all in favor.

### **INVITATION FOR PUBLIC COMMENT**

None

### **REPORTS**

#### **Operations Committee**

Trustee McCann provided a summary of the Operations Committee meeting on May 8, 2023.

Staff described the scope of the North Windham Sewer collection system, the first phase of construction for a gravity main, and the procurement of the treatment system. It was recommended to award the construction contract to MWH for the construction of Phase 1.

Staff provided an update on the progress of the service line inventory related to the requirements of the Lead and Copper Revised Rule.

Staff provided an update on the construction project at the Westbrook/Gorham Regional Treatment Plant. During a significant rain event, some of the temporary installations allowed for an overflow from the aeration basin. The contractor has worked to restore the area and the project continues with the startup of equipment expected in the coming weeks

#### **Planning Committee**

Trustee Douglas provided a summary of the Planning Committee meeting on May 8, 2023.

Chad Thompson, Source Protection Coordinator reported on this year's Standish Beach Management annual report. The report is a requirement of the Standish Beach lease agreement and is prepared by the town's Parks and Recreation Director along with the District's Water Resource staff. Beach activity has grown each year, but the water quality has stayed stable throughout the years. There was only one beach closure last year due to a swimming beach test exceedance.

Rod Beaulieu, Chief of Security Operations Staff reported on last year's activities on the Land Reserve and Lower Bay. The Land Reserve had seen steady growth in visitors since its opening in 2005, last year's count for visitors was just over 34,000.

Staff requested that the Board formalize allowing the Game Warden to berth their patrol boat on the PWD dock by way of a license similar to the license that was granted to the Town of Standish last month for the fire boat. The Game Warden boat has been on the dock for the past 7 years and a license was never formalized. The Planning Committee expressed support for continuing to allow the docking of the Game Warden boat at the District's Dock. This will be taken up under new business tonight.

The City of Portland Land Bank has approached the District for permission to use an access road and a small amount of land at its pump station off Hobart Street in relation to a proposed kayak launch on City land. Given the issues the District has experienced with its neighbors in the past, the Committee indicated it would entertain a proposal from the Land Bank after the Land Bank had a neighborhood meeting inviting abutters to the road to get input.

### **Administration and Finance Committee**

Trustee Willett provided a summary of the Administration and Finance Committee meeting on May 8, 2023.

Mr. Christian Smith, Wipfli Audit Partner, presented the results of their 2022 financial audit. They issued an unqualified opinion on the District's financial statement, noted no significant internal control issues, and reviewed several key financial ratios. After the auditors responded to a number of questions, the Committee recommended the motion accepting their report be forwarded to the full Board for its consideration.

Mr. David Kane presented an overview of the water capital reserve fund. The reserve was created in 2013 as a result of the new law allowing water districts to allocate up to 10% of their water revenues to fund certain water projects. The District chose to increase water rates by 1% for 10 years to pay the debt service of an annual \$2 million bond issuance, financing certain water main renewal projects. After 10 years of increases, the District will be allocating 10% of water revenue to the capital reserve in 2024.

Looking ahead, the Committee discussed whether to continue issuing a \$2 million bond annually. It was recommended not to issue future bonds and pay for projects from the 10% allocation of water revenue. This eliminates paying the debt interest costs and allows the bonding capacity to be used for other projects. The change will be reflected in the 2024 budget.

Mr. Tom Quirk noted the audit services contract expires after the 2022 audit. Wipfli has been the auditor since 2007 and has provided good service. Wipfli proposed renewing their contract for 3 years with a significant proposed increase due to higher personnel costs. The Committee recommended, and staff concurs, that a Request for Proposal (RFP) should be issued.

### **General Manager's Report**

- The week of May 7-13 was Drinking Water Week. Mr. Garrison reported on activities that were held that week and said the activities were a success. Activities included tours and media events on public radio.

- The Annual Consumer Confidence Report will be released soon, as will a customer satisfaction survey.
- PWD’s outreach to schools has begun again; the latest efforts include a visit to the Portland Arts and Technical High School in Portland.
- Mary Demers reported on PWD job vacancies and noted where PWD was seeing turnover. She said the District is similar to other employers in Maine with respect to employee turnover rates. PWD is targeting areas with the most turnover by creating career ladders; it is hoped that this will help with the recruitment and retention of employees. The career ladder has worked well in the Water Department. It has also worked well with our SCADA group.

**NEW BUSINESS**

**Resolution 23-004**, accepting the Audit Report for 2022.

On May 8, 2023, Wipfli LLC presented the results of the 2022 audit to the Administration and Finance Committee. The items presented were:

- Auditor’s Communication to the Board of Trustees;
- Financial Report for the year ending December 31, 2022

It was moved by Trustee Willett and seconded by Trustee Siviski.

It was Voted and unanimously,

WHEREAS, the Bylaws of the District require that an annual audit report on the financial affairs of the District be presented to the Board of Trustees for acceptance, and

WHEREAS, the Board of Trustees previously appointed the accounting firm of Wipfli LLC to conduct the audit of 2022 financial affairs, and

WHEREAS, Wipfli LLC has conducted the audit of 2022 and presented their unqualified opinion to the Board of Trustees,

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees accepts the Audit Report for 2022 and authorizes its distribution as required by Section 21 of the Charter of the District.

**Order 23-021**, authorizing actions related to the North Windham Sewer Project.

PWD executed a Construction Manager-at-Risk (“CMAR”) contract with MWH Constructors and an Engineering Services Agreement with Brown and Caldwell in December 2022 for preconstruction services associated with the ongoing North Windham Sewer Project. The project team has been working on a design-build process to organize the project into multiple construction components, each called a Guaranteed Maximum Price or “GMP.” Each GMP will represent a new phase of the construction project, and will be proposed as an amendment to the existing CMAR contract with a corresponding price for the scope of work defined in that amendment.

Currently the project team has organized the project into at least two GMPs as described below:

- GMP 1
  - Wastewater Treatment Facility (WWTF) MBR Equipment Pre-Procurement:
    - Through a competitive procurement process, the team has selected a Veolia hollow fiber MBR equipment package which meets required technical specifications and provides .16 MGD of capacity.
  - WWTF Access Rd. and Utilities Construction
    - Includes improvements to ~1000LF of Sposedo Rd., the installation of gas, coms., electrical, and water utilities to the WWTF site. Also includes tree clearing of the WWTF site in preparation for plant construction.
  - Phase I Collection System:
    - Initial 2,400 LF segment of 15” gravity interceptor sewer, stretching from the WWTF influent PS across the Manchester Elementary School to the intersection of Rt. 115.
  - Effluent Disposal System
    - Installation and testing of an Oakson subsurface effluent disposal system permitted for the full plant capacity at startup.
- GMP 2
  - WWTF Construction
  - Phase II Collection System

The preconstruction and design phase is complete for GMP 1, the scope of work as described above has resulted in a GMP in the amount of \$8,650,000.00.

This GMP 1 price also includes construction of athletic fields and other improvements to the Manchester School site that will be paid for separately from the Sewer project by the Town of Windham, for a total of \$1,350,000.

As construction begins on GMP 1, the project team will continue preconstruction work on GMP 2. It is anticipated that GMP 2 will be proposed in September 2023.

It was moved by Trustee McCann and seconded by Trustee Levinsky.

It was Voted and unanimously,

ORDERED, the General Manager is hereby authorized to execute a construction management services contract amendment (“Amendment 1”) with MWH Constructors, Inc. for the North Windham Sewer Project (“the Project”) in the amount of \$8,650,000.00; and

BE IT FURTHER ORDERED, that the Project (*CIP 2022-182/3324*) budget is amended by increasing it to a total of \$12,368,000.00; 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.

**Order 23-022**, authorizing a license with Inland Fisheries and Wildlife.

The District has maintained a strong cooperative relationship with the Maine Warden Service for many years. The on-the-water presence of the Warden Service patrol boat provides a consistent law enforcement presence to address boating safety issues in the Lower Bay, and ensures rapid response to potential emergencies or water resources issues related to boating and wildlife on Sebago Lake.

The District's dock, located off the intake access road currently accommodates Marine 7 (the District's current patrol boat), the District's "barge" or work boat, the Standish Fireboat, and the Maine Warden Service Patrol boat. This order formalizes the long-standing agreement between the District and IF&W to allow the Maine Warden Service to continue to dock its boat on PWD's dock.

It was moved by Trustee Douglas and seconded by Trustee Siviski.

It was Voted and unanimously,

ORDERED, that the General Manager is hereby authorized to execute a license in substantial form as that attached hereto for the purposes of allowing Inland Fisheries and Wildlife to dock its Warden Service Sebago Lake Patrol Boat at Portland Water District's dock located off the intake access road.

**OTHER BUSINESS**

None

**SECOND INVITATION FOR PUBLIC COMMENT**

None

**TRUSTEE COMMENTS**

President Lunt reminded the Board that they will be conducting the General Manager's six-month review at the June workshop.

**EXECUTIVE SESSION**

None

**ADJOURNMENT**

Meeting adjourned at 6:42 p.m.

Submitted by,

Donna M. Katsiaticas  
Clerk