

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, on Monday, June 24, 2019. Attending from staff were Messrs. Kane, Crovo, Wallace, Firmin, Johnson and Ms. Lewis, Katsiaticas, Demers and Walker. The meeting was convened by President Cote at 6:00 p.m. with the Pledge of Allegiance and a moment of silence.

### **ROLL CALL**

The roll was called by the Clerk. All Trustees were present.

### **ACCEPTANCE OF MINUTES**

It was moved by Trustee Libby, seconded by Trustee Lunt.

Voted all in favor to waive the reading and accept the minutes of the Regular Meeting of May 28, 2019 and the Workshop Meeting of June 17, 2019.

### **INVITATION FOR PUBLIC COMMENT**

None

### **REPORTS**

#### **Operations Committee**

Trustee Siviski provided a summary of the Operations Committee meeting on June 17, 2019. The Cape Elizabeth Wastewater Treatment Facility UV Disinfection Project will be taken up under new business tonight. Staff provided an update on the implementation of the updated Cross Connection Control Program. The transition to the updated program on January 1 has gone very well. PWD's effort to educate customers, along with informing developers and plumbers in advance, was successful. Staff also provided an overview of PWD's involvement with the Digsafe Program. Staff responds to over 10,000 requests annually, and locate and mark water and wastewater's buried assets. This proactive approach helps to prevent damage to both the District's and other utilities' infrastructure.

#### **Planning Committee**

Trustee Lunt provided a summary of the Planning Committee meeting on June 17, 2019. Staff presented a request from Reed and Reed to lease a small piece of property owned by the District on Warren Avenue. Staff discussed a proposed land swap with the Committee related to property on Wescott Road in Gorham. After discussion, the Committee decide to table this item in order to give staff the opportunity to bring more information to the Committee. The Committee considered a request from 350 Clarks Pond LLC for a utility location and fill agreement for property located at 350 Clarks Pond Parkway. Staff reported that Maine Water Company (Biddeford Saco) has decided to move forward with design of their new treatment facility on the Saco River but is still interested in a smaller distribution connection with the PWD to help serve their Pine Point area distribution system. Staff also reported that Southern Maine Regional Water Council will be pursuing a grant from the Maine Drinking Water Program SRF to perform a cost of service study to determine the cost of wheeling and supply water between each member community.

### **Administration and Finance Committee**

Trustee Garrison provided a summary of the Administration and Finance Committee meeting on June 17, 2019. Two items discussed will be brought up under new business tonight; authorizing issuance of bonds for the upgrades at the Westbrook Regional Wastewater Treatment Facility and for the purchase of a conservation easement in Sebago. Ms. Demers provided an overview on the process to solicit employee feedback. This was last done in 2017. She noted the survey will be conducted in August. The same method with the same questions, with minor changes for clarity, will be used. A brief update was given on the Billing and Computerized Maintenance Management System Projects. A full report is planned for the July Board Workshop. The City of Portland's Low-Income Customer Assistance program was eliminated from the City's 2019-2020 budget. The Committee requested staff to continue to explore for options including providing the program internally. At the request of the Committee, Mr. Kane presented additional information on investment options for the District's Operating Funds including Corporate and Non-Federal Governmental Bonds and Commercial Paper. The Committee requested additional information on possible mutual funds options. After reviewing the additional information, the Committee will decide whether or not to change the current policy to allow investing in Corporate and Non-Federal Governmental Bonds and Commercial Paper.

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

Ms. Lewis provided the Board with the following:

- The purchase and sale agreement with CMP for the sale of an easement along Marginal Way has been signed. CMP's next steps are with the City of Portland.
- The Friends of Casco Bay thanked PWD for the support of their pump out boat.
- The Southern Maine Regional Water Council held its annual meeting on June 20. Chris Crovo was elected vice-president of the Council. The Council also recognized the contributions of PWD staff in assisting the Council. Among those recognized were Pat Fitzgerald for his efforts in procuring chemicals for the members, and Michelle Clements for updating the Council website.

### **NEW BUSINESS**

**Public Hearing**, regarding the issuance of water and wastewater bonds.

A public hearing was held on the proposed authorizing bonds. A \$10,500,000 bond to finance the upgrade of the aeration and secondary clarifier at the Westbrook Regional Wastewater Facility and a \$345,000 bond to finance the purchase of a conservation easement in Sebago.

President Cote opened the public hearing, no members of the public wished to speak. President Cote closed the public hearing.

**Resolution 19-009**, authorizing issuance of up to \$10,500,000 of Gorham, Westbrook and Windham wastewater bonds to finance upgrades at the Westbrook Regional Wastewater Treatment Facility.

At their April 22, 2019 meeting, the Board authorized to execute a professional services contract with Hazen and Sawyer in the amount of \$749,173 for design phase engineering services (Order 19-018). The design costs are eligible for the State Revolving Loan Fund.

The 2019 operating budget assumed the issuance of the \$750,000 bond at 1.5%. A construction bond of \$9,750,000 is scheduled for 2021. The debt service on the \$10.5 million bond was incorporated into the multi-year plan provided to the municipality.

It was moved by Trustee Garrison and seconded by Trustee Lunt.

It was Voted and unanimously,

RESOLVED, the issuance of up to \$10,500,000 of Gorham, Westbrook and Windham Wastewater Bonds is hereby authorized to finance upgrades to the aeration and clarifier systems and related infrastructure at the Westbrook Regional Wastewater Treatment facility. The full form of the Resolution is attached hereto and incorporated as part of the minutes of this meeting.

**Resolution 19-010**, authorizing issuance of up to \$345,000 of water bonds to finance the purchase of a conservation easement in Sebago.

The Board of Trustees approved a contribution of \$345,000 towards the Tiger Hill Community Forest (previously called Sebago Community Forest) conservation project at their December 17, 2018 Board meeting (Order 18-042).

The 1,417 acre property is located in the town of Sebago and its acquisition by Loon Echo Land Trust will guarantee its conservation in perpetuity. The District will require that the land be legally protected from development in perpetuity.

It was moved by Trustee Garrison and seconded by Trustee Beck.

It was Voted and unanimously,

RESOLVED, the issuance of up to \$345,000 of Water Bonds is hereby authorized to finance the purchase of a conservation easement in the Tiger Hill Community Forest located in the Town of Sebago. The full form of the Resolution is attached hereto and is incorporated as part of the minutes of this meeting, and

FURTHER RESOLVED, the amount of the outstanding debt service payments of the bond shall be reserved in Watershed Protection fund and the payments shall be withdrawn from the Watershed Protection fund when the payments are made.

**Order 19-023**, authorizing actions related to the Cape Elizabeth WWTF UV Disinfection Project.

This effort will install a new disinfection process based on the recommendations of the Cape Elizabeth UV Disinfection Feasibility Assessment completed in 2017 (CIP 2016-418/2572). The Feasibility Assessment evaluated alternatives and identified potential UV disinfection system arrangements that would meet effluent disinfection requirements while eliminating the need for disinfection chemicals and the associated handling, storage and metering facilities.

The proposed scope for this effort includes installation of the UV disinfection equipment and associated concrete channels, sitework, electrical and controls upgrades needed to incorporate the new process into the existing treatment plant.

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

It was Voted and unanimously,

WHEREAS, the Board authorized the comprehensive method of engineering services for the Cape Elizabeth WWTF UV Disinfection project, CIP 2018-418/2701 (Project) in March 2018; and

WHEREAS, the Board authorized a service contract with Hoyle Tanner Associates in July 2018 for the Project,

ORDERED, the General Manager is hereby authorized to execute a service contract amendment with Hoyle Tanner Associates, in the amount of \$76,680 for construction and application engineering services for the Project; and

BE IT FURTHER ORDERED, the General Manager is hereby authorized to execute a construction contract with Penta Corporation, in the amount of \$559,200 for the Project; and

BE IT FURTHER ORDERED, that a total project budget is hereby authorized, not to exceed \$1,010,000; 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 19-024**, authorizing the General Manager to execute a lease agreement with Reed & Reed Contractors.

Reed & Reed Contractors is working with the Maine Turnpike Authority to replace (widen) the turnpike bridge over Warren Avenue in Portland. The District owns an adjacent triangular parcel of land on the easterly side of the turnpike for a water main crossing of the turnpike as shown on the attached map. This 20" water main crossing is slated to be abandoned once a new main in Warren Avenue under the bridge is constructed. Reed & Reed needs a spot near the construction site to locate construction office trailers and stockpile materials for the duration of the project, estimated to be about two years. Their use of the property will not affect the water main. In lieu of a lease payment, staff is negotiating with Reed & Reed to do the work necessary to abandon the water main under the turnpike and will use the payments as a credit toward that work

It was moved by Trustee Lunt and seconded by Trustee Libby.

It was Voted and unanimously,

ORDERED, the General Manager is authorized to execute a lease agreement with Reed & Reed Contractors for property located on Warren Avenue in Portland for use as a construction trailer and stockpile location related to a Turnpike Bridge Construction project, 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.

**Order 19-025**, authorizing the General Manager to execute a utility location and fill agreement with 350 Clarks Pond LLC.

350 Clarks Pond LLC owns a parcel of land located at 350 Clarks Pond Parkway in South Portland as shown on the attached map and is planning the construction of four large residential buildings on the site. The District owns two fee strips of land that run through the property for its two water transmission mains. Although the District owns the fee of these strips, the Developer has deeded rights to use the District strips in any way that does not interfere with the District's use. Specifically, the Developer can install pavement and signs and poles 15 feet or more away from our mains without any permission. District staff has been working with the Developer and their engineer to prepare a design that locates their utilities on the strips so that they do not interfere with our mains. Utility installations include light poles and underground wiring, storm drainage pipes, gas lines, and power and communications vaults. A cantilevered awning at the building entrance will also encroach into the strip at least 20 feet away from our pipe. Staff has also worked with them on site grading. The District's two transmission mains that run through the property are currently deep and exceed 10 feet to the bottom of the pipe. The Developer is proposing to add some additional fill in places with a maximum depth of 13 feet to the bottom of the pipe. Staff has worked with the Developer's engineer to keep the additional fill to a minimum.

It was moved by Trustee Lunt and seconded by Trustee Willey.

It was Voted and unanimously,

**ORDERED**, the General Manager is authorized to execute a utility location and fill agreement with 350 Clarks Pond LLC for property located at 350 Clarks Pond Parkway in South Portland, 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.

### **EXECUTIVE SESSION**

None

### **OTHER BUSINESS**

It was moved by Trustee Lunt and seconded by Trustee Willey to add an additional item to the agenda. Voted all in favor.

**Order 19-026**, authorizing issuance of "Green Bonds".

The Board authorized the issuance of up to \$7.5 million of water bonds at their December 17, 2018 meeting. The bonds will provide funds to finance the installation and renewal of water main improvements and other related infrastructure upgrades and improvements which are environmentally beneficial projects designed to ensure safe drinking water for the public in the State in accordance with State, Federal and local standards. Therefore, the bonds can be designated as "Green Bonds".

Staff became aware that 'green bonds versus ordinary bonds are, on average, about 6 basis points below yields paid by otherwise equivalent bonds'. The District's Financial Advisor

recommended the Board pass a motion indicating the bond proceeds will be used for ‘green’ purposes. Other than declaring the bonds as green in the bond’s Official Statement’ the only other obligation on the District would be to provide certain post-issuance reporting showing the actual use of the bond proceeds for its declared purpose.

The Bond is scheduled to be sold on July 16. Since this is before the next Board business meeting, it is requested to be considered at the June 24, 2019 meeting.

It was moved by President Cote and seconded by Trustee Willey.

It was Voted and unanimously,

ORDERED, that the \$7.5 million water bond authorized on December 17, 2018 will be designated as ‘green bonds’, with the proceeds used for “green” purposes.

**SECOND INVITATION FOR PUBLIC COMMENT**

None

**TRUSTEE COMMENTS**

Trustee Willey noted that he was impressed that the 6” pipe on Gilman Street, Portland has been in the ground since 1878 based on the General Manager’s report. Trustee Lunt thanked David Kane for bringing forward the green bond designation as it will save PWD money. Trustee Beck reminded the public to exercise caution while driving in construction zones this summer. President Cote recognized Trustee Libby for his 25 years of service on the Board.

**ADJOURNMENT**

Meeting adjourned at 6:45 p.m.

Submitted by

Donna M. Katsiaficas  
Clerk