

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 remotely via teleconference, on Monday, October 26, 2020. Attending from staff were Messrs. Kane, Crovo, Wallace, Firmin, and Mses. Lewis, Katsiaficas, Demers and Walker. The meeting was convened by President Douglas at 6:00 p.m.

**ROLL CALL**

The roll was called by the Clerk. Trustee Lunt was absent.

**CONVENE MEETING**

Trustee Rich made a motion to conduct the meeting remotely, seconded by Trustee Willey. Voted all in favor.

**ACCEPTANCE OF MINUTES**

It was moved by Trustee Beck, seconded by Trustee Cote.

It was voted all in favor to waive the reading and accept the minutes of the Regular Meeting of September 29, 2020 and the minutes of the Workshop Meeting of October 13, 2020.

**INVITATION FOR PUBLIC COMMENT**

None

**REPORTS**

**Operations Committee**

Trustee Beck provided a summary of the Operations Committee meeting on October 13, 2020. Staff presented a recommendation to award a contract for engineering services for the Cape Elizabeth WWTF evaluation project. Recent odor complaints in Westbrook, mentioned on Facebook, were investigated and there were odors from the plant. A likely source is the sludge holding tank inside of the treatment building. Staff provided an update on the North Windham Treatment Facility request for proposals. There is a lot of interest in the project, with the District receiving multiple proposals. Staff are currently evaluating the proposals to understand each approach as part of the selection process. Staff from the Town of Windham are serving as advisory members to the process to ensure their concerns are included in the ultimate selection. Also discussed was the current approach of finding a cost effective solution for the developed area in North Windham. The process will prioritize the areas of largest pollutant loadings while focused on providing an affordable system. Possible expandability to the adjacent areas will be part of the design process.

**Planning Committee**

Trustee Siviski provided a summary of the Planning Committee meeting on October 13, 2020. Staff recommended granting an easement to the City of Portland for a vehicle turnaround on Woodlawn Ave. Staff reported that AT&T is in the process of completing the installation of cellular communication equipment on the Shore Acres tank in Cape Elizabeth and it should be live shortly. The clean-up of the Presumpscot River (debris removal) where are utilities cross was completed on October 9<sup>th</sup> with Shaw Brothers construction. The next steps are to have divers clean off the wastewater outfall and do an assessment of the condition of the outfall and to file emergency permits with the regulatory agencies. Paul Hunt provided an update on the recent RCPP grant awarded to PWD and Sebago Clean Waters. The next step is to meet with Department of Agriculture – Natural Resource Conservation Service (NRCS) to “negotiate”.

This is a standard next step with government grants and is how the grantee and the agency agree on what will be done by whom and by when.

### **Administration and Finance Committee**

Trustee Garrison provided a summary of the Administration and Finance Committee meeting on October 13, 2020. Robin Doiron presented an overview of the recently issued PUC order allowing Maine utilities to disconnect service for payment delinquencies. She noted the District will send a letter to all customers eligible for disconnection as of November 1<sup>st</sup>. The letter will inform them that the District intends to begin disconnecting service for non-payment in December. A motion was proposed to waive late fees through December 31, 2021. This will assist those customers facing financial difficulties due to the pandemic. David Kane noted staff is preparing the 2021 Budget and should be completed by the Board's October meeting. He noted the proposed 2021 budget includes no water rate adjustment and wastewater assessments that meet the municipalities expectations except in Cumberland and Portland. Cumberland's budget includes an additional amount to fund the Falmouth Treatment Plant's capital work. Portland's budget includes a significant increase in biosolids disposal costs.

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

Ms. Lewis gave an overview of the proposed 2021 budget.

- The proposed budget request is for 47.9 million dollars for the operating budget and 14.5 million dollars for the capital budget.
- The proposed budget proposes no water rate increase for next year; the budget is based on anticipated revenue.
- Within the operating budget, the largest expenditures are for salaries/benefits – 26.1% and debt service – 23.3%.
- Biosolid disposal costs are expected to increase substantially next year (26.7%) due to changes in reaction to PFAS and limited option to dispose of biosolids. The district's current biosolid disposal contract is coming to an end this year.
- Within the capital spending budget, 10.7 million dollars is allocated for water projects, and 3.8 million is allocated for wastewater projects.

The PowerPoint presentation given by Ms. Lewis is attached hereto.

### **OLD BUSINESS**

**Order 20-010**, authorizing the final rate schedule for the water rate increase.

In January 2020, the Board of Trustees requested staff to prepare a rate filing supporting 2.9% rate adjustment. On March 23, 2020, the Board considered a motion approving a rate schedule with the 2.9% adjustment and voted to table the motion in reaction to the COVID-19 pandemic national emergency until October 2020. On September 4, 2020, the Board was provided additional financial information by staff and it was recommended implementing a 3.4% rate adjustment to fund water operation through the end of 2021. The last rate adjustment was effective May 1, 2019.

The proposed rate adjustment includes a rate increase differential between residential and commercial/ industrial rates resulting in an increase of residential customer rates by 3.1% and industrial customers by 4.6%. Fire protection charges increase by 3.4%.

Pursuant to Board rules, a public hearing was held on October 13, 2020. All customers received notification of the rate adjustment. 3 comments were received by the public. 2 objecting to the increase and 1 asking why it was a flat increase.

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

It was Voted and unanimously,

ORDERED, that the final rate schedule for the water rate increase, attached hereto and incorporated herein by reference, is hereby approved.

### **NEW BUSINESS**

**Resolution 20-013**, authorizing the suspension of late payment charges until December 31, 2021.

On March 16, 2020, the PUC ordered all utilities to suspend disconnection of service for non-payment. Recently, the PUC issued an order lifting the suspension effective November 1, 2020. As part of the order, it ordered that late fees not be applied to any balance accrued during the suspension as long as the customer keeps to the terms of a payment arrangement agreed to by December 31, 2020. The District's billing system does not have the ability to waive the late fees only on those delinquent balances. As noted in the proposed Resolution, the District Board voted to suspend late charges on delinquent balances at its meeting of April 6, 2020 (Resolution 20-004).

The coronavirus pandemic is having an adverse effect on the economy and as a result on some of the District's ratepayers. In an effort to mitigate these impacts and because the billing system cannot automatically waive late fees in compliance with their recent order, it is recommended that late fees on delinquent water bills be waived for delinquent water balances until December 31, 2021.

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

It was Voted and unanimously,

Whereas, the Board of Trustees recognizes the financial hardship the coronavirus pandemic is causing for some of its ratepayers; and

Whereas, the District's Terms and Conditions of Service provide:

#### **4) Late Payment Charges**

Late payment charges are assessed for overdue water bills that are not paid within 25 days from the postmarked date, or 25 days from the e-bill notification date. The interest rate charged will be the interest rate established for delinquent taxes by the State Treasurer;

Whereas, by order of April 6, 2020, the Board of Trustees voted to suspend late charges on delinquent accounts until 30 days after the end of the civil State of Emergency declared by the Governor;

NOW THEREFORE BE IT RESOLVED, that late payment charges provided for in the District's Terms and Conditions are hereby suspended until December 31, 2021, and that

the General Manager is authorized to waive late fees for delinquent water bills owed to the District.

**Order 20-029**, authorizing the Phased Engineering Method for the procurement of engineering services for the Cape Elizabeth WWTF Process Evaluation Project.

Pursuant to the District's purchasing policy, staff is seeking approval from the Board of Trustees to procure engineering services for the Cape Elizabeth WWTF Process Evaluation Project which will evaluate treatment process upgrades and configuration alternatives to enhance the plant's nitrogen management capability. The phased method for engineering will limit the scope of services of this contract to alternatives evaluation and concept level planning. The evaluation will consider process modifications within the existing configuration as well as system reconfiguration alternatives and compare the associated benefits to system performance. Staff estimates that the cost for this effort to be \$50,000.

Once the Method is approved, staff will issue a request for proposals. It is expected that a recommendation will be offered to the Board at the January meetings.

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

It was Voted and unanimously,

**ORDERED**, that the Phased Engineering Method is authorized for the procurement of engineering services for the Cape Elizabeth WWTF Process Evaluation 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.

**Order 20-030**, authorizing the General Manager to execute an easement deed to the City of Portland.

The District owns a 20' wide strip of land that crosses by the end of Woodlawn Avenue in Portland for an 8" water main as shown on the attached map. The City has requested an easement from the District to erect a gravel vehicle turnaround so that fire and emergency vehicles will be able to turn around at the end of the street. The construction will involve minor grading and adding a gravel base in the area. We did a similar turn around easement on the next street over at the end of University Street a few years ago and have not had any issues there.

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

It was Voted and unanimously,

**ORDERED**, the General Manager is authorized to execute an easement deed to the City of Portland for a vehicle turnaround at the end of Woodlawn Avenue; and

**BE IT FURTHER ORDERED**, that the General Manager and the Treasurer, each acting singly, are authorized to take such other steps as may be necessary to accomplish the intent of this vote.

**OTHER BUSINESS**

None

**SECOND INVITATION FOR PUBLIC COMMENT**

None

**TRUSTEE COMMENTS**

Trustee Willey asked for a video to be produced by PWD that relates to the governance of the District, the Trustees and the services provided by PWD to its communities. Ms. Lewis commented that an additional page has been added to the 2021 budget book giving more description of the District's governance.

Trustee Rich recently attended the WEFTEC virtual conference and commented that 1/3 of the conference sessions were related to the pandemic and she was pleased with the work the District has done compared to other utilities.

**EXECUTIVE SESSION**

None

**ADJOURNMENT**

Meeting adjourned at 6:51 p.m.

Submitted by,

Donna M. Katsiaficas  
Clerk