

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, December 20, 2021. Attending from staff were Messrs. Kane, Crovo, Firmin, Hunt and Mses. Lewis, Katsiaficas, Demers and Walker. Paul Drinan of Portland was present from the public.

The meeting was convened by President Douglas at 6:03 p.m. with the Pledge of Allegiance and a moment of silence.

ROLL CALL

The roll was called by the Clerk. Trustees Rich and Siviski were absent.

ACCEPTANCE OF MINUTES

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

It was voted all in favor to waive the reading and accept the minutes of the Regular Meeting of November 22, 2021.

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

It was voted all in favor to waive the reading and accept the minutes of the Workshop Meeting of December 6, 2021.

INVITATION FOR PUBLIC COMMENT

Paul Drinan addressed the Board on behalf of the Maine Trails Coalition and other rail to trail organizations in the State of Maine. They are asking the Board to take part in the trail feasibility study being conducted by the State. The Mountain Division Alliance is also asking the Board to come to a future meeting so that they can present the Board with information about the success of trails in rail corridors. President Douglas thanked him for his comments, and reminded him that the Board's utmost responsibility is for the protection of drinking water.

REPORTS

Operations Committee

Trustee Shattuck-Heidorn provided a summary of the Operations Committee meeting on December 6, 2021. Trustee Shattuck-Heidorn was elected chair of the Committee. After a review of past challenges with biosolids management and a review of PWD's selection process, staff provided a recommendation for engineering services selection for this project CIP 2021-421/3233. Staff also presented the work plan for 2022 and the Committee agreed to begin the year with overviews of the Water and Wastewater services, along with an overview of water quality inquiries.

Planning Committee

Trustee Beck provided a summary of the Planning Committee meeting on December 6, 2021. Staff recommended a contribution of \$148,000 to conserve 439 acres in the Sebago Lake watershed in town of Casco. Staff recommended a lease extension and expansion of the leased area to FWP Realty LLC owner of Pape Automotive. After much discussion the Committee requested that staff provide more information regarding the proposed value of the lease fee. It was decided to table action on this request to next month's Committee meeting. Staff

recommended a contract extension with Communication Facilities Inc. for marketing telecommunication antenna siting and site management services.

Staff discussed and provided updates to the Committee on the following projects:

- Route 35 -Sebago Lake Overlook – staff is working with DEP and the town to come up with a plan for maintaining the scenic overlook
- 319 project – Boat Launch – native plant stabilization project – staff and the town have develop a plan to stabilize the barren areas around at the end of the boat launch area.

Administration and Finance Committee

Trustee Cote provided a summary of the Administration and Finance Committee meeting on December 6, 2021. Mr. Kane presented a cost of living adjustment (COLA) to the monthly pension. This will be taken up under new business tonight. Ms. Lewis presented a proposal to implement the recommendations of the recently completed non-union employee salary survey including amending the pay band structure, approving a new non-union compensation policy and adjusting employee's annual compensation. This will also be taken up under new business tonight.

Ms. Demers presented an overview of the 2022 Benefit Program changes. She noted the District's health insurance costs increased by \$432,861. For employees, the annual increase is \$135 and \$817 for single and family coverage. As an alternative to the existing options, a Health Reimbursement Arrangement (HRA) option was presented. The option offers lower premium, District match of 50% of the deductible and coinsurance and a cash incentive. Since the union did not approve this offering, the HRA option will only be offered to non-union employees. Ms. Demers also noted the disability and life insurance plans have moved to Mutual of Omaha. The plan offers lower premiums, more generous disability plan and more options for life insurance.

General Manager's Report

The General Manager noted that Gorham has chosen to have an election to fill its vacant Trustee position in June, 2022. She then asked Paul Hunt too address the Board on recent conservation developments. Paul reported that the Crooked River Headwaters project was completed last week; as a result, 7,700 additional acres in the watershed is being conserved. PWD's financial contribution to the purchase was \$497,000 in a cash contribution. There were multiple partners that made this transaction happen. Financial contributions were not only made by PWD, but were also made by NRCS, the Nature Conservancy and others. As a result of this transaction, there have now been 13,600 acres conserved in PWD's watershed. PWD's financial contribution for this amounts to 1.4 Million Dollars; the value of the land conserved is over 12 Million Dollars.

NEW BUSINESS

Resolution 21-021, awarding the Water Bottle Filling Station Grants.

In 2013, the Board of Trustees authorized the development of the Water Bottle Filling Station Grant program and subsequent funding not to exceed \$7,000 annually. Water bottle filling station grants provide a maximum value of \$5,000 for outdoor units, \$2,000 for internal units, and \$650 for retrofits - to entities within the service territory.

The Water Bottle Filling Fountain Grant Committee met on December 6 and selected five recipients out of twenty-one applications for the Board's consideration. Applications were reviewed and judged primarily on potential exposure and public access and the promotion of

healthy tap water. It was decided to propose awards in excess of the maximum budgeted amount because the committee felt during this time of great need, this is one way the Portland Water District can give back and support the community. Also units generally come in less than the maximum, not all recipients decide to install units, and past years' awards have been less than budgeted.

The Trustees discussed increasing the funds available for this program in order to award more grants. It was agreed that this year's applications would be reviewed again and possibly brought forward to the Board at a later meeting for an award of funding.

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

It was Voted and unanimously,

BE IT RESOLVED, that the Board of Trustees hereby awards the following Water Bottle Filling Station Grants for the installation year of 2021:

			Maximum
Falmouth Community Park	Falmouth, ME	Outside	\$5,000
Animal Refuge League	Westbrook, ME	Retro	\$650
Mayo Street Arts	Portland, ME	Stand Alone	\$2,000
YMCA Southern Maine	Portland, ME	Retro	\$650
City of Portland – DHS	Portland, ME	Stand Alone	\$2,000

Order 21-035, authorizing an adjustment in pension benefits for eligible retirees and annuitants.

Since 1989, the Board of Trustees has authority to grant an annual adjustment in pension benefits equal to one-half of the previous year's consumer price index (CPI) increase up to a maximum of 5%. The adjustment is not automatic; it is subject to the Board's approval each year. The CPI average for 2021 (November 2020 to October 2021) increased 4.20% over the 2020 average. Therefore, pension benefits for eligible retirees and beneficiaries could increase 2.10%. The impact of providing the adjustment would be approximately \$2,843 per month, and would bring the pension payments total to approximately \$138,248, per month for 132 pensioners and beneficiaries. Retirees eligible for an increase are pensioners receiving a pension as of January 1, 2021.

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

It was Voted and unanimously,

ORDERED, an adjustment of 2.10% in pension benefits is authorized for eligible retirees and annuitants, effective January 1, 2022, in accordance with Article X of the District's pension plans.

Order 21-0036, adopting the Non-Union Salary Structure and revisions to the Non-Union Compensation Policy.

Portland Water District's Non-Union Compensation Policy was last revised on January 1, 1999. On December 7, 2020, the Administration and Finance Committee recommended that in addition to national salary databases, industry and Maine salary data be provided to support a request for a 2022 adjustment to non-union pay bands.

The Employee Services Director utilized the services of outside human resources professionals to undertake an external job market survey of PWD's non-union positions. Job descriptions were updated and matched with industry positions. Actual salary data were collected from 21 Maine and 10 New England water/wastewater organizations and 3 published national sources. Utilizing the 50th percentile (median) of the market salary data for each job description, positions with similar medians were grouped. This resulted in a broadband structure containing eight bands, up from the current seven bands.

The Non-Union Compensation Policy 2.30-21 is presented for Board approval. It reflects the utilization of external market median pay for individual positions, appropriately grouped in a broadband structure, as the basis for PWD's non-union compensation. The revised policy presents that base pay is established relative to the market median for a position. Non-Union Compensation Policy 2.30-21 also updates, in accord with present practices, how salary increase budgets are approved by the Board, how is pay adjusted, and that there is a direct link between annual performance evaluation ratings and pay increases.

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

It was Voted and unanimously,

WHEREAS, the Portland Water District's Non-Union Compensation Policy was last revised in 1999 by Resolution 98-016, To Approve the Non-Union Compensation Policy, Titled Policy 99-01 Effective January 1, 1999; and

WHEREAS, in December 2020, the Administration and Finance Committee of the Board of Trustees approved a request to increase the non-union pay bands by 3% on January 1, 2021 and recommended that any future adjustments to the band structure be done with recommendations from a market survey that considered industry and Maine salary data along with national data;

NOW THEREFORE:

BE IT ORDERED, that the recommendation resulting from said market survey to increase the number of pay bands from seven to eight and reassign positions to the bands, as shown in Attachment A, is hereby adopted; and

BE IT FURTHER ORDERED, that the Board of Trustees Non-Union Compensation Policy 2.30-99 is repealed and hereby replaced with Non-Union Compensation Policy 2.30-21, as shown in Attachment C; and

BE IT FURTHER ORDERED, that the General Manager, and the Employee Services Director, each acting singly, are authorized to implement the aforementioned pay structure effective January 1, 2022 and to take such steps as may be necessary to accomplish the intent of the vote.

Order 21-037, authorizing a professional services contract with Brown and Caldwell.

The Assessment will include a holistic review of biosolids processing options in the region and an evaluation of alternatives in the context of the current regulatory climate regarding biosolids reuse and ultimate disposal.

Staff reviewed and scored two proposals from engineering teams that provided proposed methods for achieving the project goals. Based on the outcome of the review and ranking, Brown and Caldwell received the best overall score (100). Staff therefore recommends award to Brown and Caldwell for an amount of \$97,145.

This project includes facility planning level engineering services, including alternatives evaluation, life cycle cost comparison and development of a strategic plan. As approved by Board Order 21-021 on July 26, 2021, the phased method for procuring engineering services will be used for this project, meaning engineering procurements for any future recommendations resulting from the study will be procured independently from this effort.

It was moved by Trustee Shattuck-Heidorn and seconded by Trustee Cote.

It was Voted and unanimously,

ORDERED, the General Manager is authorized to execute a professional services contract with Brown and Caldwell in the amount of \$97,145 for engineering services for the Biosolids Processing and Disposal Assessment (CIP 2021-SP421/3233); 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 21-038, authorizing a contribution to the Loon Echo Land Trust.

The Rolfe Hill property is 439 acres and located in the town of Casco. Loon Echo Land Trust plans to purchase the Rolfe Hill property for the purpose of conservation. The property is forested and contains wetlands, a natural stream, and vernal pools. The property was also identified by Sebago Clean Waters as high priority for conservation due to its above average capacity for water quality protection.

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

It was Voted and unanimously,

ORDERED, that the General Manager is authorized to contribute up to \$148,000 to Loon Echo Land Trust to support the conservation of land known as Rolfe Hill located in Casco.

Order 21-039, authorizing a contract extension with Communication Facilities, Inc.

The District entered into a contract with Communications Facilities Inc. (CFI) in February of 2013 for marketing of lease antenna space and site management of the Shore Acres Tank. They were selected to provide these services as a result of a request for proposals that were sent to three companies in December 2012. In 2016, the Planning Committee of the Board of Trustees has expressed an interest in expanding these services to market all of the District Tanks for leasing to wireless communication companies. At that time the District asked for a proposal from CFI to provide their services to all of the District's water tanks. CFI submitted a proposal to provide marketing and management services. Their current contract requires the District to pay a 15% marketing fee for the next new lessee obtained by them and to reduce to 12.5% fee for the subsequent lease and 10% for every property leased thereafter. This marketing fee is limited to the first five years of any lease. They also proposed a 10% ongoing site and tenant management fee for the life of each lease that is executed where the tenant occupies the site.

Staff recommends extending the current contract for a 5-year period. Communications Facilities, Inc. has the experience sought by the District in working with cellular telephone and information providers who may be interested in using our tank sites. The company will be able to assist the staff in negotiations of lease terms and in the management of the property once the communication antennas are in place.

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

It was Voted 7-1 (Trustee Garrison opposed) and,

ORDERED, that the General Manager is authorized to execute a contract extension with Communication Facilities, Inc. for the provision of Telecommunications Antenna Consulting and Management Services; and

BE IT FURTHER ORDERED, that the General Manager or the Treasurer, each acting singly, may take whatever steps necessary to implement the intent of this vote.

Resolution 21-022, adopting the Board of Trustees meeting schedule for 2022.

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

It was Voted and unanimously,

RESOLVED, to adopt the proposed Board of Trustees' meeting schedule for 2022.

OTHER BUSINESS

None

SECOND INVITATION FOR PUBLIC COMMENT

None

TRUSTEE COMMENTS

Trustee Cote inquired about the possibility of going back to remote meetings in January. It was discussed and the President and Vice President of the Board will consider whether meetings in January will be held remotely.

EXECUTIVE SESSION

Pursuant to 1 M.R.S. §Section 405(6)(A), the Board went into executive session to conduct the General Manager's annual performance review.

A motion was made by Trustee Cote and seconded by Trustee Garrison to go into executive session to conduct the General Manager's annual performance review.

The Executive Session began at 7:15 p.m. and ended at 7:20 p.m. Motion to come out of Executive Session and adjourn made by Trustee Garrison, second by Trustee Cote.

ADJOURNMENT

Meeting adjourned at 7:26 p.m.

Submitted by,

Donna M. Katsiaficas
Clerk