

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, January 22, 2024. Attending from staff were S. Garrison, C. Crovo, D. Kane, J. Wallace, J. Hudak, D. Katsiaficas, M. Demers, and C. Cote.

The meeting was convened by President Lunt at 6:00 p.m. with the Pledge of Allegiance and a moment of silence.

ROLL CALL

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

ACCEPTANCE OF MINUTES

Trustee Siviski made a motion to accept the minutes of the Regular Meeting of December 18, 2023, seconded by Trustee Willett. It was voted all in favor.

Trustee Willett made a motion to accept the minutes of the Workshop Meeting of January 8, 2024, seconded by Trustee Cote. 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 January 8, 2024.

Staff provided a recommendation to amend the North Windham Sewer Project budget, (CIP 2022-182/3324), increasing it by \$1,600,000 to a total of \$14,100,000.

Staff provided a brief overview of recent renewal projects completed by the PWD field crews. These are generally very small projects that either timing or a lack of interest from contractors, resulted in PWD performing the work.

Planning Committee

Trustee Libby provided a summary of the Planning Committee meeting on January 8, 2024.

Staff informed the Committee that a purchase and sale agreement for the Walnut Street Property and Underground Reservoir was supposed to go to the Board for approval 60 days from the signing of the Letter of Intent. The purchase and sale agreement is not ready yet for Board approval; there are still a couple of minor issues to be resolved. This should be resolved in time for the February meeting.

Staff provided an overview of the District's ownership of the Gambo Pit Property along with a discussion with the Committee on leasing a portion of the property to the Town of Windham for use by its Public Works Department. They also discussed the potential to sell off a portion of the property for the Town to expand its recreational area. Staff noted they would come back to the Committee next month with a recommendation to lease a portion of the pit property to the Town and continue to work with the Town to define a portion of the property that they would like to purchase for recreational and conservation purposes.

Staff also reviewed the proposed 2024 Committee work plan. Trustee Libby asked to include on the work plan the District's action plan for promoting pollinator plantings on District property.

Administration and Finance Committee

Trustee Cote provided a summary of the Administration and Finance Committee meeting on January 8, 2024.

Staff presented two motions authorizing Water and Portland Wastewater bonds of up to \$15.71 million and \$11.5 million, respectively, to finance capital projects. The Water bond finances several projects including water main replacements, Sebago Lake Treatment Plant Roof, Windham Water Pump Station and locating service line's GPS points. The Portland bond finances the upgrade of the dewatering system at Portland's East End Wastewater Treatment Facility.

Staff presented a motion authorizing a \$200,000 transfer from the Water Supply Protection Fund to the Watershed Protection Fund. It was noted that the use of the Water Supply Protection Fund is restricted by state law and currently has a balance of approximately \$1.4 million. Transfers from the fund can be made at the discretion of the Board if it deems it is in the District's best interest.

A review of a draft 2024 Committee work plan was completed. The Committee suggested two additional topics be included on the work plan – System Resiliency, including responding to weather events and cybersecurity, and Physical Plant Security, including a review of employee's badge system, security cameras and active shooting training.

General Manager's Report

Mr. Garrison reported the following:

An email went out to all customers updating them on the new lead rules and the status of the PWD's service line inventory. In addition, an email went out to the remaining 300 customers that need a service line inspection to determine their service line pipe material. WGME aired a positive story on PWD's efforts to protect public health and minimize lead exposure. <https://wgme.com/news/i-team/maine-ahead-of-the-pack-as-epa-rule-change-requires-identifying-replacing-lead-water-pipes>

Total Water Revenue was \$1.04 million or 3.6% under budget and \$221,000 less than last year's December YTD results. Luckily, investment income tied to elevated interest rates was higher than expected mostly offsetting the lower water revenue.

Water rates were updated in December for the January 1, 2024 change. Testing was done to ensure rates were calculating correctly on bills. The new rates are in effect for January 1, 2024.

The percentage of payments from Online sources (primarily Invoice Cloud) has increased from 72.5% in Q1-2022 to 77.2% in Q4-2023. The dollars by source have, since Q2-2022, stated a roughly 50/50 as large commercial customers primarily continue to pay via check.

PWD provides no-cost, lake-friendly technical assistance to Sebago Lake property owners, watershed road associations, and municipalities in the shoreland zone through the Sebago Lakescaping Program. Lakescaping grants reimburse the landowner for up to 50% of the cost of approved lake protection projects.

There are many ways to analyze rainfall data, but regardless of how the numbers are tabulated, though, 2023 was a stormy, wet year. Portland normally receives nine storm events that produce 1 inch of rain. In 2023, there were 13 such events, an increase of more than 40%. Portland normally receives two storm events each year that produce over 2 inches of rain. In 2023, there were nine such events, an increase of 350%. The mission of protecting source water, delivering clean drinking water, cleaning wastewater, and returning it to the environment becomes much more challenging in a stormy, wet year.

NEW BUSINESS

Resolution 24-001 declaring the Board's recognition of Curtis Trimmer and Steve McLellan.

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

It was Voted and unanimously,

WHEREAS on January 9, 2024, Maine experienced a storm producing heavy rains and high winds causing major flooding in the Portland area; and

WHEREAS around 10 a.m. on January 10, 2024, a utility truck went off Tukey's Bridge into Casco Bay near the East End Wastewater Treatment Facility; and

WHEREAS Curtis Trimmer and Steve McLellan who are dedicated employees of the Portland Water District witnessed the incident and were first on the scene; and

WHEREAS Curtis Trimmer and Steve McLellan jumped into the water and helped three men out of the truck and onto shore; therefore

BE IT RESOLVED that the Board of Trustees commends Curtis Trimmer and Steve McLellan for their quick actions to assist the public in need.

Public Hearing regarding the authorization of Water and Wastewater Bonds.

President Lunt opened the public hearing. There was no one from the public in attendance. President Lunt closed the public hearing.

Resolution 24-002, authorizing the issuance of up to \$15,710,000 in water bonds to finance five water projects identified in the 2024 Capital Improvement Plan (CIP).

The approved 2024 Capital Improvement Plan (CIP) includes five water projects to be financed by the issuance of water bonds. Those projects totaled \$10,310,000 as listed in the table below. The Water Mains, Sebago Lake Water Treatment Facility Roof, and Windham Pump Station Upgrades projects will be included in the PWD bonds expected to be issued in August. The Galvanized Water Line and GPS of Service Line projects will be financed through a State Revolving Loan Fund Bond. The state has authorized \$7.2 million and \$1.0 million, respectively, for those projects. Those projects will be completed over a three-year time frame with the expected 2024 disbursement of \$2.4 million and \$0.4 million, respectively.

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

It was Voted and unanimously,

RESOLVED, the issuance of up to \$15,710,000 in water bonds to finance the installation and renewal of water mains, replacement of the Sebago Lake Water Treatment Facility's Roof, upgrade of the Windham Water Pump Station, and obtaining Service Lines' GPS data points and related infrastructure projects 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.

Resolution 24-003, authorizing the issuance of up to \$11,500,000 in Portland wastewater bonds to finance the upgrade of the dewatering system at the East End Wastewater Treatment Facility.

The approved 2024 Capital Improvement Plan (CIP) includes a \$11 million capital project to upgrade the dewatering system at Portland's East End Wastewater Treatment Facility (CIP 21-3204). The

2023 CIP included a \$500,000 project for the related preliminary engineering costs. The proposed motion authorizes the issuance of bonds in the amount of up to the \$11.5 million to fund both of the projects.

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

It was Voted and unanimously,

RESOLVED, the issuance of up to \$11,500,000 in Portland wastewater bonds to finance the upgrade of the dewatering system at Portland’s East End Wastewater Treatment Facility and related infrastructure 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.

Order 24-001, authorizing a transfer from the Water Supply Protection Fund to the Watershed Protection Fund.

The Board of Trustees has supported the PWD’s watershed protection efforts by creating and funding two reserve funds: Water Supply Protection Fund and Watershed Protection Fund.

The Water Supply Protection Fund is established under state law and can be funded from excess annual net income. In the past, the Board has voted to allocate money to the fund, which currently has a balance of \$1,367,000. The law stipulates how the funds can be used including the requirement to get a land interest when funding an easement purchase.

The Watershed Protection Fund was created by the Board and is funded by net proceeds from the sale of surplus property. The balance in the fund has dropped below \$7,000. The use of funds is for projects related to watershed protection.

The Board authorizes the funding and use of both funds on a project-by-project basis. Because of the depletion of the Watershed Protection Fund, staff is requesting a transfer of \$200,000 from the Water Supply Protection Fund to the more broadly used Watershed Protection Fund. A withdrawal from the Water Supply Protection Fund is allowed under state law if the Board determines the transfer is in the best interest of PWD.

	Authority	Funding	Use	Current Balance
Water Supply Protection Fund	State Law	Water Fund Net Income	Real Property Interests	\$ 1,367,000
Watershed Protection Fund	Board Created	Net Proceeds from Sale of Surplus Property	Watershed Protection Projects	\$ 7,000

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

It was Voted and unanimously,

ORDERED, the transfer of \$200,000 from the Water Supply Protection Fund to the Watershed Protection Fund is hereby authorized.

Order 24-002, authorizing an amendment to the North Windham Sewer Project.

PWD executed an Engineering Services Agreement with Brown and Caldwell in December 2022 for preconstruction services associated with the ongoing North Windham Sewer Project. The scope of this contract included general project management activities, 60% design drawings for the wastewater treatment facility (“WWTF”), a review of the 60% design cost estimate from the

construction manager-at-risk (“CMAR”), MWH Constructors, effluent disposal field design support, and 30% design of the initial collection system.

This project budget increase of \$1,600,000.00 is proposed in anticipation of future engineering contract amendments with Brown and Caldwell to finalize the project design in preparation for the construction phase of the WWTF and the remaining collection system.

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

It was Voted and unanimously,

ORDERED, that the North Windham Sewer Project (*CIP 2022-182/3324*) budget is amended by increasing it by \$1,600,000 to a total of \$14,100,000; 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.

OTHER BUSINESS

None

SECOND INVITATION FOR PUBLIC COMMENT

None

TRUSTEE COMMENTS

None

EXECUTIVE SESSION

None

ADJOURNMENT

The meeting adjourned at 6:33 p.m.

Submitted by,

Carrie E. Cote
Assistant Clerk