

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, April 24, 2023. Attending from staff were S. Garrison, C. Crovo, D. Kane, S. Firmin, J. Hudak, and D. Katsiaticas. Samuel Clifford Plummer, recipient of the 2023 Joseph A. DiPietro Scholarship, and his parents Pam and Scott Plummer were also in attendance.

The meeting was convened by President Lunt at 6:03 p.m.

ROLL CALL

The roll was called by the Clerk. All Trustees were present. Trustee McCann joined by Zoom.

ACCEPTANCE OF MINUTES

Trustee Willett made a motion to accept the minutes of the Regular Meeting of March 27, 2023, seconded by Trustee Libby. It was voted all in favor.

Trustee Libby made a motion to accept the minutes of the Workshop Meeting of April 10, 2023, 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 April 10, 2023.

Trustee McCann was elected chair of the Committee.

Staff brought three items of business to the Committee: Northeast Pump Station – Pump #4 Rebuild, an amendment to the 2023 CIP to include the construction budget for the East End Secondary Clarifier Sludge Rake Replacement, and amendments to the Windham Center Water Storage Tank Replacement Project, all of which will be brought up under new business tonight.

The staff gave a brief update on the North Windham Wastewater Project.

Planning Committee

Trustee Douglas provided a summary of the Planning Committee meeting on April 10, 2023.

Trustee Douglas was elected chair of the Committee.

Paul Larrivee of 207 Forestry Services reported to the Committee on the Forest Management Plan he recently completed.

Security staff informed the Committee of a request by the Standish Fire Department to allow the placement of their new fireboat on the District-owned dock in Lower Bay. This will be taken up under new business tonight.

President Lunt advised the Committee about public uses of the scenic overlook on Route 35. He will convene the Standish Steering Committee to discuss the public use of the area.

Administration and Finance Committee

Trustee Cote provided a summary of the Administration and Finance Committee meeting on April 10, 2023.

Trustee Cote was elected chair of the Committee.

Mr. Kane noted two capital projects at the East End Wastewater Treatment Plant are being planned and may be funded by issuing a tax-exempt bond. In order to be eligible for tax-exempt financing, an intent to borrow motion needs to be approved before any project costs are incurred. This will be taken up under new business tonight.

Ms. Demers and Mr. Kane presented the following pension-related topics:

- PWD Defined Benefit Plans: Reviewed the impact of modifying the annual cost-of-living adjustment on the District's current defined benefit plan that was closed to new participants in 2011 (see Attachment A). The current adjustment is 50% of the increase in the Consumer Price Index (CPI). One impact of the current method is the purchasing power of retirees declines over time because of inflation. The Committee reviewed two options and requested two additional options be calculated and presented at a future meeting.
- PWD 457 Plan: Reviewed the results of the recently completed investment review and possible impact of the new SECURE 2.0 federal law (see Attachment B). The pension lawyer will be preparing proposed amendments to the District's 457 plan to incorporate the new law provisions.
- Plan Administration & Design: Staff updated the Committee on the investigation into the possibility of consolidating the PWD defined benefit plans and PWD 457 plan administration. The consolidation could provide better service to employees at a reduced cost.
- Preliminary Investigation of New Defined Benefit Options: Staff updated the Committee on research efforts requested by the Board into the possibility of establishing a new defined benefit plan at PWD. The plans would be for employees not eligible for the legacy PWD defined benefits plans which were closed to new participants.

General Manager's Report

The General Manager thanked past President Louise Douglas for her service as President of the Board and presented her with a plaque for her service.

Drinking water weeks is coming up. PWD will be providing tours and will be holding an event with the Sea Dogs commemorating the week.

PWD is selling rain barrels again and has limited orders to 300.

NEW BUSINESS

Resolution 23-002, awarding the DiPietro Scholarship for 2023.

The Joseph A. DiPietro Memorial Scholarship was established in 2003 in memory of respected businessman and longtime Portland Water District Trustee, Joe DiPietro. It serves students in the Portland Water District’s service area who are striving towards the same mission as PWD – protecting public health and the environment.

Trustee Cote spoke about Joseph DiPietro and his commitment to the community and the value of education. Mr. DiPietro had a lifelong interest in public service; this scholarship award is in his memory.

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

It was Voted and unanimously,

WHEREAS the Board of Trustees has established the Joseph A. DiPietro Scholarship in memory of Mr. DiPietro’s fifteen years of dedicated service representing the city of Portland as a Trustee of the District, and

WHEREAS Samuel Clifford Plummer, a resident of Raymond, is pursuing a degree in Marine Science at Saint Joseph's College, and

WHEREAS Mr. Plummer has demonstrated need for the scholarship, and

WHEREAS the Board of Trustees’ Scholarship Committee unanimously recommends Mr. Plummer to be a recipient of the 2023 Joseph A. DiPietro Scholarship,

NOW THEREFORE BE IT RESOLVED that the Board of Trustees recognizes the accomplishments and needs of Mr. Plummer and supports his academic endeavors by awarding him the \$1,500 scholarship for 2023 established in tribute to Joseph A. DiPietro.

Resolution 23-003, declaring the Board’s intent to reimburse costs paid by the District from the Portland Wastewater funds.

The approved 2023 Capital Improvement Plan includes the preliminary engineering for the replacement of the East End Treatment Plant’s secondary clarifier sludge rake (21/3147). Construction was scheduled to begin in 2024 but has been expedited to begin this year. The project is not expected to cost more than \$8,800,000.

The project above will be bid and constructed at the same time as the primary sludge handling and primary gallery replacement project. The project was previously approved with a budget of \$5,100,000 (CIP 21-3152 Design \$300,000 in 2021 and Construction \$4,800,000 in 2022). The actual costs are expected to exceed \$5,100,000 but not exceed \$6,000,000.

In compliance with Internal Revenue Service (IRS) regulation, an “intent to borrow” motion must be approved by the Board before expenditures are incurred on a project that may be financed with tax-exempt financing. The Board previously adopted “intent to borrow” motions for the projects. The current motion supplements the prior motions to account for the increase in

estimated project costs. Before a bond is actually authorized or issued, a public hearing will be held. Subsequent to the hearing, the Board will consider authorizing the bond.

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

It was Voted and unanimously,

RESOLVED, the Board hereby declares its intent to reimburse costs paid by the District from the Portland Wastewater funds with the proceeds of a future tax-exempt bond. The full form of the resolution is attached hereto and incorporated herein by reference and shall be part of the minutes of this meeting.

Order 23-017, authorizing an amendment to the Portland Pump Station Renewal and Replacement (R&R) Fund.

On December 6, 2023, PWD personnel responded to Northeast Pump Station for what appeared to be a clogged pump; the Northeast Pump Station is the main pump station feeding the East End Wastewater Treatment Facility (East End WWTF) in Portland. A faulty wear strip from the bottom of the East End WWTF's primary clarifiers had broken and lodged in the pump, causing a catastrophic failure.

PWD personnel disassembled the pump and then contacted several repair vendors for assistance. Corrosion Products and Equipment (CPE) was chosen for the repair due to the availability of resources, familiarity with the pumps, and schedule. The complete rebuild will cost \$86,500 and will include a new shaft, impeller (which was shown to be worn), bearing repair, mechanical seals, and rehabilitation. Installation is included in the cost. Given the emergency nature of the event, the work has begun under the authority of the General Manager.

The cause of the wear strip failure in the East End WWTF's primary clarifiers is under investigation. PWD personnel have taken steps to prevent any other broken wear strips from damaging the pumps by closing the drains that lead to the Northeast Pump Station.

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

It was Voted and unanimously,

ORDERED, that the project budget for the Portland Pump Station Renewal and Replacement (R&R) Fund is amended by increasing it to \$86,500 for the complete rebuild of Northeast Pump Station - Pump #4; 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 23-018, authorizing an amendment to the East End Secondary Clarifier Project budget.

The three existing secondary clarifiers at the East End WWTF are beyond their useful life, and both the frequency and severity of issues have increased in recent years. The current state of the clarifiers has created what has been classified as an emergency situation, and this project has been initiated on an accelerated schedule. PWD has hired Kleinfelder to provide design phase engineering services, and Woodard & Curran to provide Owners Project Manager (OPM) Services.

Due to the emergency nature of this project, staff is following an expedited procurement process. Staff have worked with the project team to issue an RFP for new secondary clarifier mechanisms, and have made a vendor selection. The next steps will be to finalize a contract and order the equipment. In order to proceed with the detailed design phase engineering services and procurement, the available 2023 CIP budget will need to be increased.

There is currently \$500,000 available in 2023 for this project intended for design, and another \$7,320,000 available in 2024. Due to the emergency nature of this project, it is recommended that the 2023 budget is increased to 7,820,000, incorporating the 2024 funds into the 2023 budget. This will allow the project to proceed on its critical path and insure stable operating conditions for this plant process.

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

It was Voted and unanimously,

ORDERED, that the East End Secondary Clarifier project budget is amended by increasing it by \$7,320,000 and that the total budget for the Project is hereby authorized, not to exceed \$7,820,000; 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 23-019, authorizing actions related to the Windham Center Elevated Water Storage Tank Replacement.

The existing elevated water storage tank in Windham was constructed and placed in operation in 1957. The tank was targeted for replacement in the 2003 Comprehensive Water System Strategic Plan (CWSSP). The most recent maintenance on the tank was completed in 2019 when two leaks were repaired on the riser. The tank is beyond its useful life and is due for replacement.

After an extensive engineering analysis and land acquisition search, it was determined that a new one-million-gallon ground-level concrete tank be sited on a hill on land off of Falmouth Road near Nash Road would have the best long-term value to serve both Windham Center and the town of Gorham.

Hazen and Sawyer recommended that the Project be bid and constructed in two phases:

- Phase 1 (contract 1) – construction of a new 1,600 ft road and installation of 20” HDPE water main
- Phase 2 (contract 2) – construction of a one-million-gallon concrete water storage tank and associated site work

Contract 1 described above was publicly bid on February 27, 2023. Bids were received from six (6) contractors, Shaw Brothers, Gorham Sand & Gravel, RJ Grondin, Drew Corporation, Woods Excavating, and DLM Property Care, on March 30, 2023. The bids fell within the project budget estimate. PWD performed a due diligence review of the response and has determined that the apparent low bidder has the contracting capacity and resources to complete the Project. PWD, therefore, recommends that Woods Excavating, LLC be awarded the project.

Pursuant to the Comprehensive Method (approved by the Board in December 2018), staff recommends a professional services contract amendment with Hazen & Sawyer for engineering services during construction.

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 an engineering service contract amendment with Hazen & Sawyer, in the amount of \$680,000 for construction services for contract 1 and contract 2 the Windham Center Elevated Water Storage Tank Replacement (the “Project”); and

BE IT FURTHER ORDERED, a construction contract with Woods Excavating, LLC is hereby authorized, in the amount of \$1,272,311 for the Project; and

BE IT FURTHER ORDERED, that a project budget for contract 1 is hereby authorized, not to exceed \$2,432,311; 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 23-020, authorizing a license for the Standish Fireboat.

The District has maintained a strong cooperative relationship with the Standish Fire Department for many years. Upon the retirement of the District-owned patrol boat POWADIS, the District sold the boat to the Standish Fire Department. Since acquiring the craft, Standish Fire Department has performed several repairs and upgrades to outfit the 22’ Kingfisher with emergency equipment that will allow the boat to function as both a search and rescue and fire-fighting vessel for use on Sebago Lake. Its firefighting capabilities will make it the only fire boat on Sebago Lake. The on-the-water presence of the fireboat will ensure rapid response to potential fires on water quality protection land around the Lower Bay.

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, and the Maine Warden Service Patrol boat. Additional space on the existing dock system can accommodate the Standish fireboat without modification.

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

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 the Standish Fire Department to dock, its Fireboat at Portland Water District’s dock located off the intake access road.

OTHER BUSINESS

None

SECOND INVITATION FOR PUBLIC COMMENT

None

TRUSTEE COMMENTS

Trustee Levinsky asked when the buoy was being placed in the lake. He was advised it typically happens in May.

Trustee McCann thanked the Board for allowing him to attend remotely.

President Lunt thanked Louise Douglas for her service to the Board and expressed that she enjoyed working with her. Trustee Douglas noted she enjoyed her time serving and thanked President Lunt for his assistance.

EXECUTIVE SESSION

None

ADJOURNMENT

Meeting adjourned at 6:47 p.m.

Submitted by,

Donna M. Katsiaficas
Clerk