

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, on Monday, May 23, 2022. Attending from staff were Messrs. Kane, Crovo, Wallace, Cutrone and Ms. Lewis, Katsiaficas, Demers and Walker.

The meeting was convened by President Douglas at 6:04 p.m.

ROLL CALL

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

ACCEPTANCE OF MINUTES

Trustee Shattuck-Heidorn made a motion to accept the minutes of the Regular Meeting of April 25, 2022, seconded by Trustee Cote. Voted all in favor.

It was moved by Trustee Lunt, seconded by Trustee Rich to allow Trustee Beck to recuse himself from voting on the workshop meeting minutes. Voted all in favor.

Trustee Cote made a motion to accept the minutes of the Workshop Meeting of May 9, 2022, seconded by Trustee Shattuck-Heidorn. It was voted 9-1 (Beck abstained) in favor.

INVITATION FOR PUBLIC COMMENT

None

REPORTS

Operations Committee

Trustee Rich provided a summary of the Operations Committee meeting on May 9, 2022. Staff provided an overview for the Committee on the Qualification Based Selection process required by the SRF program. This was presented along with our usual selection process. The major difference in the process is that once the proposals are evaluated and ranked, the fee will be negotiated with the selected firm. The role of staff from operations and AMaP in the process was discussed along with the methods for tabulating ranked proposals. The group also discussed how engineering firms are engaged during the process.

Staff provided a recommendation to utilize the Comprehensive Method for the procurement of engineering services for the 2022 CIP projects proposed for State Revolving Fund financing to be delivered using the design/bid/build approach. This will be taken up under new business tonight.

Planning Committee

Trustee Shattuck-Heidorn provided a summary of the Planning Committee meeting on May 9, 2022. Staff recommended amending the Wastewater Disposal System Rules on the Shores of Sebago Lake. This will be taken up under new business tonight. Due to security concerns with the District's cyber infrastructure staff went into executive session to discuss the District's SCADA system.

Administration and Finance Committee

Trustee Siviski provided a summary of the Administration and Finance Committee meeting on May 9, 2022. Mr. Christian Smith, Wipfli Audit Partner, led a presentation outlining the results of the 2021 financial audit. He noted they issued an unqualified opinion on the District's financial statement, noted no significant internal control issues and reviewed the single audit report.

Mr. David Kane presented a motion authorizing the issuance of a bond up to \$5.49 million to finance the upgrade of the electrical systems at Portland's East End Wastewater Treatment Plant and Northeast Pump Station.

Mr. Kane presented a motion supporting and ratifying the General Manager's action of signing the Applicant Agreement to Comply with 2022 Clean Water State Revolving Fund Requirements indicating the District's intent to borrow up to \$38.9 million to finance the construction of the sewer system in North Windham.

Mr. Kane noted Ecomaine is exploring the concept of creating a regional solid waste program and asked whether the District could provide billing services. The new billing system does have the capability to bill for trash services. Ecomaine has indicated they are at the very early stages of developing the program and would contact the District as the program develops.

Ms. Mary Demers provided an overview of the costs, trends and challenges to reducing the costs of the current health insurance policy.

General Manager's Report

The Finance Department received the GFOA certificate of Achievement for Excellence in Financial Reporting for the 2021 Comprehensive Annual Financial Report and a Distinguished Budget Presentation award for the 2022 Annual Budget. Congrats!

The SCADA group received a Water System Asset Security Grant from Maine DHHS that will cover \$8,500 of licensing fees for the electronic key system.

A public meeting was held last week in Windham about the North Windham Wastewater Project; Town Manager Barry Tibbets made a comprehensive presentation about the proposed project to about 25 people. It will be on the ballot in Windham on June 14.

The Sebago Lake monitoring buoy is now in the water.

NEW BUSINESS

Public Hearing, authorizing the issuance of sewer bonds.

President Douglas opened the public hearing for comments. No one from the public was in attendance. President Douglas closed the public hearing.

Resolution 22-007, authorizing the issuance of up to \$5,490,000 in sewer bonds to finance upgrades to the electrical system at the East End Treatment Plant and Northeast Pump Station in Portland.

At the February 22, 2021 Board meeting, a motion was approved authorizing a \$4.79M project budget to the electrical system at Portland's East End Wastewater treatment plant and Northeast

Pump Station. The proposed upgrades will provide a new power distribution system with enhanced resiliency and monitoring through the District's SCADA system.

Two related projects – bisulfite building power feed and standby generator – were included in the SRF financing request and were approved by the DEP. The \$100,000 power feed project was approved as part of the 2022 CIP (project 21/3237). The \$600,000 standby generator was approved as part of the 2021 CIP (project 21/3236). Both projects were budgeted to be funded from the Renewal and Replacement fund. Since the projects have already been approved for SRF funding, the current interest rate is only 1% and the Renewal and Replacement fund has a planned 2022 deficit, it is recommended to approve the motion to issue a bond for up to \$5.49 million.

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

It was Voted and unanimously,

RESOLVED, the issuance of up to \$5,490,000 of Portland Sewer Bonds is hereby authorized to finance upgrades to the electrical system at the East End Treatment Plant and Northeast Pump Station in Portland and other related infrastructure upgrades and improvements. The full form of the Resolution is attached hereto and incorporated as part of the minutes of this meeting.

Resolution 22-008, accepting the Audit Report for 2021.

On May 9, 2022, Wipfli LLC presented the results of the 2021 audit to the Administration and Finance Committee. The items presented were:

- Auditor's Communication to the Board of Trustees;
- Financial Report for the year ending December 31, 2021;
- Single Audit

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

It was Voted and unanimously,

WHEREAS, the Bylaws of the District require that an annual audit report on the financial affairs of the District be presented to the Board of Trustees for acceptance, and

WHEREAS, the Board of Trustees previously appointed the accounting firm of Wipfli LLC to conduct the audit of 2021 financial affairs, and

WHEREAS, Wipfli LLC has conducted the audit of 2021 and presented their unqualified opinion to the Board of Trustees,

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees accepts the Audit Report for 2021 and authorizes its distribution as required by Section 21 of the Charter of the District.

Resolution 22-009, ratifying the General Manager’s signing of the Applicant Agreement to Comply with 2022 Clean Water State Revolving Fund Requirements.

The District has been working with the Town to evaluate wastewater treatment facilities to serve the North Windham area per the Memorandum of Understanding (MOU) approved May 26th, 2020 (Order 20-020). The evaluation created a preliminary design resulting in a project with an estimated cost of more than \$40 million. An overview of the project was provided at the Board’s April 11, 2022 workshop meeting.

The project was submitted to the Maine Department of Environment Protect (DEP) for financing through the state revolving loan fund (SRF). After reviewing all the submittals, DEP chose this project for SRF funding that includes a low interest loan and grants. The Town and PWD Staff recommend accepting the financing package and PWD’s General Manager has signed the ‘Applicant Intent to Apply’, which had to be accepted by May 6, 2022.

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

It was Voted and unanimously,

WHEREAS, an evaluation has been completed for a North Windham wastewater treatment facility: and

WHEREAS, the Town intends to proceed with construction; and

WHEREAS, the DEP has offered to finance up to \$38.9 million with the requirement that the application be submitted by May 6;

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees ratifies and approves the actions of the General Manager’s signing of the Applicant Agreement to Comply with 2022 Clean Water State Revolving Fund Requirements indicating the District’s intent to borrow up to \$38.9 million.

Order 22-024, authorizing the Comprehensive Method for the procurement of engineering services for the SLWTF Windham Pump Upgrades, Cape Elizabeth WWTF Aeration and Clarification Upgrades and the East End WWTF Return Sludge Piping Replacement Projects.

Pursuant to the District’s purchasing policy, staff is seeking approval from the Board of Trustees to procure engineering services for the design, bidding and construction administration (Comprehensive Method) for the SLWTF Windham Pump Upgrades, Cape Elizabeth WWTF Aeration and Clarification Upgrades, and the East End WWTF Return Sludge Piping Replacement Projects. The Comprehensive Method for engineering would result in one engineering consulting firm that would provide all the engineering services for the project from design to startup of the upgrade.

The Windham Pump Upgrades are focused on addressing the resiliency of that pumping system leveraging available space in the pump gallery. The Cape Elizabeth WWTF upgrades will focus on replacement of equipment beyond its expected service life and associated electrical and instrumentation improvements. The East End RAS piping is nearing the end of its expected service life; the proposed project will proactively replace the piping and also provide improved means of flow split between the aeration trains.

Once the Method is approved, staff will issue a request for qualifications. It is expected that recommendations will be offered to the Board this coming fall and winter.

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

It was Voted and unanimously,

ORDERED, that the Comprehensive Method is authorized for the procurement of engineering services for the SLWTF Windham Pump Upgrades (122\3211), Cape Elizabeth WWTF Aeration and Clarification Upgrades (424\3188), and the East End WWTF Return Sludge Piping Replacement (21\3148) Projects, 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 22-025, authorizing the amendments to the Portland Water District Wastewater Disposal System Rules.

The Portland Water District has legal authority to create and enforce rules for proper disposal of waste and drainage within 200' of Sebago Lake pursuant to provisions of 1913 Private & Special Law, Chapter 157, Section 3, the District's charter, and a court case Docket #1201 decided by Superior Court in Kennebec County. The rules are designed to protect public health and safety by preserving the quality of water in Sebago Lake, the source of supply for the Portland Water District's Greater Portland drinking water system. These rules establish the requirements and procedures for obtaining Portland Water District approval for the installation of new or replacement subsurface wastewater disposal systems and their components within 200 feet of Sebago Lake.

Amendments to the rules include clarification language for what is considered the lake and what is considered a river and/or stream as well as aligning the definition of a bedroom to match the State's subsurface wastewater disposal system code for leach field sizing.

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

It was Voted and unanimously,

ORDERED, that the Portland Water District Wastewater Disposal System Rules related to the shore of Sebago Lake are hereby amended and approved in substantial form as the Rules attached hereto and incorporated herein by reference.

Resolution 22-010, increasing the annual funding limit for water bottle filling station grants.

In May of 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 for water bottle filling equipment. Over eight years, PWD has awarded \$43,500 to support the installation of approximately 32 fountains. Prices have increased slightly over the years and due to the pandemic, trustees approved \$12,950 in the maximum awards for 2022 as a way to support and respond to community needs. The trustees acknowledge the positive results the program has had in the community to expand access to our public tap water, promote our excellent public water,

celebrate the positive effects to the environment by reducing disposable water bottles, and support our community.

It was moved by Vice-President Lunt and seconded by Trustee Cote.

It was Voted and unanimously,

BE IT RESOLVED, that the Board of Trustees hereby increases the annual funding limit for water bottle filling stations from \$7,000 to \$10,000.

OTHER BUSINESS

It was moved by Vice-President Lunt, seconded by Trustee Cote to add one more item to the business agenda. Voted all in favor.

The Environmental Protection Agency recently issued the Lead and Copper Rule Revisions (LCRR). This is a major change in drinking water regulation protecting consumers from lead, with multiple new requirements for water systems. These changes include requirements to develop an inventory of the material of the public and private portions of water service lines and make the results publicly available, develop a replacement strategy for service lines whose material cannot be determined to not be lead, implement new sampling procedures, and update public communication and educational materials. Multiple, multi-disciplinary projects will need to be carried out concurrently to prepare the District for the rule changes.

Because of the scope and complexity needed to assure compliance with the LCRR and the importance of protecting our customers, staff is recommending a full-time Lead and Copper Program Manager position be created.

To assure compliance with the new rule by 2024, it is recommended to fill the position this year. The position was not included in the 2022 Budget. Staff recommends utilizing one of the work force management positions for 2022 and reassess whether or not to request an increase in authorized positions by one as part of the 2023 budget process.

Trustee Garrison moved to change the job position title to Water Quality Program Manager (Lead and Copper), seconded by Trustee Cote. Voted all in favor.

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

It was Voted and unanimously,

ORDERED, that the position and hiring of a Water Quality Program Manager (Lead and Copper) is hereby approved.

Rose Spano Iannelli from Spano Pratt Executive Search joined the meeting and talked with the Board to discuss the steps that will be followed in the search and hiring process for the next General Manager.

She summarized the results of the surveys sent to the Trustees and phone interviews with SMT. The results will create a scorecard which will be used to rate the candidates. The recruitment flyer will be finalized with a release date of June 1.

SECOND INVITATION FOR PUBLIC COMMENT

None

TRUSTEE COMMENTS

Trustee Lunt relayed that there was a water main break near his house this past weekend. He extended his thanks for a job well done to the crew in getting the break repaired and water restored to the area.

EXECUTIVE SESSION

None

ADJOURNMENT

Meeting adjourned at 7:35 p.m.

Submitted by,

Donna M. Katsiaficas
Clerk