

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, September 19, 2022. Attending from staff were C. Crovo, S. Firmin, J. Wallace, C. Lewis, D. Katsiaficas, M. Demers and C. Walker. Seth Garrison, former Trustee and selected candidate for the General Manager position, was also in attendance.

The meeting was convened by President Douglas at 6:01 p.m. with the Pledge of Allegiance and a moment of silence.

### **ROLL CALL**

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

### **ACCEPTANCE OF MINUTES**

Trustee Cote made a motion to accept the minutes of the Regular Meeting of July 25, 2022, seconded by Trustee Levinsky. It was voted all in favor.

Trustee Cote made a motion to accept the minutes of the Regular Meeting of August 22, 2022, seconded by Trustee Lunt. It was voted all in favor.

Trustee Shattuck-Heidorn asked to recuse himself from the vote on the September 12, 2022 workshop minutes as he was not in attendance. Trustee Lunt made a motion to recuse Trustee Shattuck-Heidorn, seconded by Trustee Cote. It was voted all in favor.

Trustee Cote made a motion to accept the minutes of the Special Meeting and Workshop Meeting of September 12, 2022, seconded by Trustee Lunt. It was voted 8-1 (Trustee Shattuck-Heidorn abstained).

### **INVITATION FOR PUBLIC COMMENT**

None

### **REPORTS**

#### **Operations Committee**

Trustee Rich provided a summary of the Operations Committee meeting on September 12, 2022. Staff reviewed the Windham Storage Facility style and siting review undertaken to date. Hydraulic and site availability/access considerations were discussed. The additional design and permitting effort associated with the recommended Falmouth Rd. site was outlined. The current schedule has the project being put out to bid in the fourth quarter of 2022.

Staff provided a presentation on the septage and waste receiving program. The policy prioritizes service to wastewater communities, Sebago Lake watershed areas, and then other nearby communities. The rates were last updated in 2009. The Committee recommended a 15% increase in the rates. Both items will be taken up under new business.

#### **Planning Committee**

Trustee Cote provided a summary of the Planning Committee meeting on September 12, 2022. Staff recommended contributions to support the James Bell Connector conservation project and the Flint Mountain-Sawin Hill conservation project. Both items will be taken up under new

business. Staff also discussed possible revisions to the Watershed Land Conservation Policy including:

- clarifying when the District needs a property interest for a project,
- using the fair market appraisal for the basis of calculating the District's contribution,
- adding criteria to the District's funding formula to provide opportunities for projects to reach the 25% contribution level.

### **Administration and Finance Committee**

Trustee Siviski provided a summary of the Administration and Finance Committee meeting on September 12, 2022. The union contract changed the amount of the bargaining unit pension benefit. The Committee reviewed a proposed motion to increase the benefit. The District's consultant, KMA Human Resources Consulting, has indicated 2022 national and Maine wage increases are ranging between 5% and 7%. A 3% cost of living adjustment (COLA) was implemented on the January 1, 2022. Staff recommends an additional 3% COLA effective July 1<sup>st</sup>. At the Board's June Workshop meeting, staff presented a preliminary estimate of a 6% water rate adjustment effective January 1, 2023. Since that meeting, staff has prepared a proposed 2023 budget which indicates the adjustment can be lowered to 5.6%. The lower amount primarily reflects lower than expected increases in pension and health insurance costs. These items will be taken up under new business.

Maine State Housing Authority is implementing a new program providing financial assistance to the District's water and wastewater customers in September. Qualifying customers may receive up to \$500. Customers will submit an application to Maine Housing. If Maine Housing determines that a customer qualifies, they will send the District the money where it will be applied to the customer's account. Information about the program is on Maine Housing website - <https://www.mainehousing.org/programs-services/energy/energydetails/mwap>

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

Ms. Lewis told the Board that PWD was honored to have Dr. Nirav Shah visit the lake office in August; he was making the rounds to thank those who have been public health partners during the COVID-19 pandemic. Dr. Shah recognized PWD's significant efforts at maintaining essential services during the pandemic. He also recognized PWD's efforts in wastewater testing for COVID-19, which has proved useful to the Centers for Disease Control. PWD has begun wastewater testing for Monkey Pox and Influenza as well as other viruses. The costs is covered by Verily, as part of a national program. PWD has also tested treated water entering the distribution system at the Sebago Lake Water Treatment Facility for PFAS/PFOA - none was detected. In other developments, PWD has received a golden arrow award and best in show for our communication and marketing efforts for the new billing system. Lastly, the water bottle filling station grant program is underway; the deadline to apply is October 31.

### **NEW BUSINESS**

**Order 22-033**, authorizing appointment of the new General Manager.

General Manager Carrie Lewis will be retiring from PWD; her last work day in the office is expected to be October 14, 2022.

A General Manager Search Committee was established comprised of several members of the Board of Trustees. With the assistance of a professional search firm, the Committee interviewed candidates for the position of General Manager.

An offer of employment was made to the District’s top choice, Seth Garrison, by letter dated August 26, 2022. Mr. Garrison has accepted the District’s offer.

It is therefore recommended that Mr. Garrison be appointed as the District’s new General Manager effective October 17, 2022, pursuant to the terms of the offer letter extended to him by the District.

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

It was Voted and unanimously,

ORDERED, Seth Garrison, of Scarborough, is hereby appointed as the new General Manager of the Portland Water District, pursuant to the terms of an offer letter dated August 26, 2022, with an effective date of hire of October 17, 2022.

Order 22-034, authorizing an amendment to the bargaining unit’s pension plan consistent with the recently signed union contract.

At the September 12, 2022 meeting, the Board ratified the labor agreement between the Teamsters Local 340 and the District. The agreement included an increase for bargaining unit employees participating in defined benefit pension benefits that retire on or after November 1, 2021. The summary of the changes are listed below:

<u>Pay Grade</u>	<u>Current Benefit</u>	<u>11/1/2021</u>	<u>11/7/2022</u>	<u>11/6/2023</u>
A-E	\$38.25/year of service	\$40.00	\$40.75	\$41.50
F-L	\$39.25/year of service	\$40.00	\$40.75	\$41.50

The proposed Bargaining Plan amendment incorporates these changes.

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

It was Voted and unanimously,

ORDERED, that the Sixth Amendment to the Portland Water District Bargaining Unit Employees’ Pension Plan, effective for retirements occurring on or after November 1, 2021, in substantially the form presented at this meeting and ordered filed with the minutes hereof, is hereby adopted and approved, with such changes therein, not inconsistent with the general tenor thereof, as the officers of the District, with the advice of counsel, deem necessary or appropriate to carry out the objectives thereof or to obtain the approval of the Internal Revenue Service that the Plan is qualified under Section 401 of the Internal Revenue Code of 1986, as amended (the “Code”).

BE IT FURTHER ORDERED, the General Manager (or other appropriate person) is authorized to take any action necessary or appropriate to effectuate the foregoing votes, including but not limited to (i) executing the formal documents, and (ii) communicating plan changes to plan participants and eligible individuals.

AND BE IT FURTHER ORDERED, that all actions heretofore taken by any employee of the District in connection with the actions authorized by the foregoing resolutions, and all actions related thereto, are hereby approved, ratified and confirmed in all respects.

**Order 22-035**, authorizing an increase in compensation for non-union employees.

At the December 20, 2021 meeting, the Board authorized non-union pay adjustment bringing compensation to the market salaries. Additionally, the adjustment included a 3% cost-of-living adjustment (COLA) estimate for 2022 and stated the COLA amount “be reviewed and an additional adjustment made on July 1, 2022, if appropriate”. The District’s consultant, KMA Human Resources Consulting, has indicated national and Maine wage increases are ranging between 5% and 7% for 2022. Staff recommends an additional 3% adjustment to all non-union positions effective July 1, 2022. These are increases to individual salaries, not increases to the maximum of the salary grades. The July 1<sup>st</sup> 3% increase combined with the 3% included with the January 1, 2022 adjustment results in a total 2022 increase of 6%.

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

It was Voted and unanimously,

WHEREAS, compensation for non-union employees was adjusted on January 1, 2022 by 3%, which was an estimate of the increased cost of living for calendar year 2022,

WHEREAS, inflation has been higher than anticipated and the District’s compensation consultant reported the actual 2022 cost-of living increase for 2022 will be between 5 and 7%;

NOW THEREFORE:

BE IT ORDERED, that non-union employee compensation be increased by 3% effective July 1, 2022.

**Order 22-036**, authorizing the Treasurer to begin the process of increasing water rates an average of 5.6% effective January 1, 2023.

At the June 6<sup>th</sup> Board Workshop, Staff proposed several 2023 budget parameters including the need to increase water rates by an average of 6%. Due primarily to lower than expected health and pension costs, the water rate adjustment has been reduced to 5.6%

Staff will prepare the supporting documentation and arrange to hold a public hearing in November and send customer notices about the public hearing to all customers.

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

It was Voted and unanimously,

ORDERED, pursuant to Board of Trustees Policy, the Treasurer shall prepare the supporting documents for a water rate increase of approximately 5.6% with new rates to be effective January 1, 2023; and

ORDERED, the District will allocate 1% of the proposed increase to the capital reserve fund to finance the installation of water mains included in the System Infrastructure Assessment report.

**Order 22-037**, authorizing the General Manager to execute a professional services contract amendment with Hazen and Sawyer.

The existing elevated water storage tank in Windham was constructed and placed in operation in 1957. The tank is beyond its useful life and due for replacement.

The District selected Hazen and Sawyer in August of 2020 to provide an engineering design that included a preliminary hydraulic and cost assessment of two options. The assessment considered hydraulics, recommended piping improvements, and life cycle costs for each option to establish a recommend approach to replacing the tank to meet the objectives of adequate volume, high quality drinking water, and infrastructure reliability and safety.

After Hazen's initial review of both sites - which included modeling - it was determined that the 101 Falmouth Road site was the site preferred by staff due to its elevation, which would allow for a ground level concrete tank. The current site would only allow for a 117 foot elevated steel tank to be built; staff along with Hazen determined that a ground level would provide the most benefit from a maintenance and life cycle cost. After further investigation of the site, it became apparent that a very long access road would have to be built in order to construct the tank at that site. At that time the District paused the engineering and looked for alternate sites to place a ground level tank. Two sites were chosen to evaluate. Staff pursued negotiations with the property owners to purchase the property. One owner ultimately was not interested in selling their property so the District pursued and negotiated a purchase sale agreement with the owner of 191 Falmouth Road. Additional Engineering is needed to continue to final design due to the evaluations of multiple sites and needed additional permitting that were not anticipated in the original proposal from Hazen. The Staff is recommending to amend the engineering contract as proposed.

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

It was Voted and unanimously,

**WHEREAS**, the Board authorized the comprehensive method of procurement of engineering services for the Windham Center Water Storage Tank Replacement Project in April of 2018 (Project); and

**WHEREAS**, the Board authorized a Professional Engineering Service contract with Hazen in August of 2020 for the Project,

**ORDERED**, the General Manager is authorized to execute a professional services contract amendment with Hazen in the amount of \$80,517 for additional design phase engineering services for the Windham Center Water Storage Tank Replacement (CIP 2018-307/2658); 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 22-038**, authorizing revisions to the policy for the Acceptance of Septage and Holding Tank Waste.

Septage and holding tank waste are generated by non-sewered properties. The Portland Water District has prioritized the acceptance of waste from member communities, Sebago Lake watershed protection areas, Sebago Lake watershed communities, other member communities,

and the other communities. The current policy includes a fee for septage, holding tank waste, and an administrative fee for non-member communities. While the wastewater assessment to the City of Portland, for instance, has increased by approximately 30% during this time, fees related to the acceptance of waste have not increased. The fees related to the acceptance of waste will be increased by 15%.

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

It was Voted and unanimously,

ORDERED, that the Policy for the Acceptance of Septage and Holding Tank Waste is hereby revised in conformance with the Policy attached hereto as Exhibit A, effective January 1, 2023 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 22-039**, authorizing a contribution to Mahoosuc Land Trust regarding the James Bell Connector Conservation Project.

The James Bell Connector property is 82 acres and located in Albany Township. Mahoosuc Land Trust plans to purchase the James Bell Connector property for the purpose of conservation. The property is primarily forested and drains to a branch of a tributary to the Crooked River. The property is part of Mahoosuc Land Trust's strategic conservation plan, Crooked River Focus Area, which aims to connect the 12,268-acre Crooked River Headwaters conservation easement and the White Mountain National Forest through conservation easements and fee interests.

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

It was Voted and unanimously,

ORDERED, that the General Manager is authorized to contribute up to \$8,760 to Mahoosuc Land Trust to support the conservation of land known as the James Bell Connector located in Albany Township.

**Order 22-040**, authorizing a contribution to Mahoosuc Land Trust regarding the Flint Mountain-Sawin Hill Conservation Project.

The Flint Mountain -Sawin Hill property is 349 acres and located in Albany Township. Mahoosuc Land Trust plans to purchase the Flint Mountain-Sawin Hill property for the purpose of conservation. The property is primarily forested and drains to branches of a tributary to the Crooked River. The property is part of Mahoosuc Land Trust's strategic conservation plan, Crooked River Focus Area, which aims to connect the 12,268-acre Crooked River Headwaters conservation easement and the White Mountain National Forest through conservation easements and fee interests.

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

It was Voted and unanimously,

ORDERED, that the General Manager is authorized to contribute up to \$52,632 to Mahoosuc Land Trust to support the conservation of land known as Flint Mountain – Sawin Hill located in Albany Township.

**OTHER BUSINESS**

None

**SECOND INVITATION FOR PUBLIC COMMENT**

This is Carrie Lewis’s last business meeting before retiring. She thanked the Board for supporting her during her tenure.

**TRUSTEE COMMENTS**

Trustees Lunt and Siviski thanked Carrie Lewis for her service to PWD.

**EXECUTIVE SESSION**

None

**ADJOURNMENT**

Meeting adjourned at 7:01 p.m.

Submitted by,

Donna M. Katsiaticas  
Clerk