

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 27, 2021. Attending from staff were Messrs. Kane, Crovo, and Mses. Lewis, Katsiaficas and Walker.

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 Siviski and Rich were absent.

ACCEPTANCE OF MINUTES

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

It was voted 8-1 (Trustee Burns abstained) to waive the reading and accept the minutes of the Regular Meeting of August 23, 2021 and the Workshop Meeting of September 13, 2021.

Trustee Lunt questioned if Trustee Burns was allowed to abstain from voting on the minutes. Ms. Katsiaficas explained the Board would need to vote to allow Trustee Burns to abstain and that his vote was recorded as a no.

Trustee Burns stated that he had not been in attendance at the Business Meeting (August 23, 2021) and therefore he did not vote on the minutes.

Trustee Garrison made a motion to allow Trustee Burns to abstain from voting on the minutes, Trustee Lunt seconded. It was voted 9-0 to allow Trustee Burns to abstain.

Trustee Garrison made a motion to reconsider and sustain the first vote of the minutes as moved, Trustee Cote seconded. It was voted 8-1 (Trustee Burns abstained) to sustain the first vote approving the minutes.

INVITATION FOR PUBLIC COMMENT

None

REPORTS

Operations Committee

Trustee Burns provided a summary of the Operations Committee meeting on September 13, 2021. Staff provided a recommendation to award an engineering services contract for the East End Wastewater Treatment Facility Primary Sludge Handling and Primary Sludge Gallery Upgrade Project. This will be brought up under new business.

Planning Committee

Trustee Levinsky provided a summary of the Planning Committee meeting on September 13, 2021. Staff had two recommendations. The first, contributing to the Crooked River Headwaters conservation project and the second, recommending that the Greater Lovell Land Trust reimburse the District \$21,850 for the Whitney Pond Property. Both items will be brought up under new business.

Administration and Finance Committee

Trustee Cote provided a summary of the Administration and Finance Committee meeting on September 13, 2021. Mr. Kane noted the Board previously authorized a \$3,150,000 bond issuance for a Fore River Pump Station Upgrade. The actual amount spent on the upgrade is approximately \$75,000 less than the authorized amount. It is being proposed to authorize the excess amount be allocated to the East End Treatment Plant's HVAC project. Ms. Lewis noted the new billing and asset management system will be going live in mid-October. The billing system has been thoroughly tested and is working as expected. The asset management system is coming together with the three focus areas – integration with the billing system, payroll processes and Digsafe processes working acceptably. Mr. Kane provided an update on the preparation of the 2022 Budget. He noted the proposed budget is \$50.1 million, 4.4% higher than the 2021 Budget. A 3.6% average water rate adjustment is proposed with an effective date of 3/1/2022. Wastewater Assessments are lower than amount expected by all municipalities except Cape Elizabeth. Cape Elizabeth's assessment is higher due to the higher South Portland Treatment Assessment, electricity costs and additional staff time allocated for additional maintenance of the infrastructure. Proposed capital plan is \$30.7 million dollars.

General Manager's Report

Ms. Lewis updated the Board on PWD's move towards offering employees the option of being vaccinated against COVID-19 or weekly testing. The bargaining unit was unwilling to accept anything less than testing 100% of PWD employees, so PWD will be waiting for the State to implement the federal mandate announced by President Biden, which will apply to employees of all state, municipal and quasi-municipal organizations with more than 100 employees, including PWD. In addition, Ms. Lewis provided an update to the Board on the ABC project. She indicated that the new billing system has been extensively tested and run in parallel with the existing system, and billing calculations match. Customer Services Coordinators are being trained. For EAM, modules used for service associated assets are taking priority in being developed and the Water Utility Specialists and Control Center Operators who are the primary users of these aspects are being trained. A customer information campaign has also been launched.

NEW BUSINESS

PUBLIC HEARING regarding an amendment to an existing bond.

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

Resolution 21-014, authorizing an amendment to allow bond proceeds to be used to finance upgrades to the Heating, Ventilation and Air Conditions System at the East End Treatment Plant in Portland.

The Board authorized the issuance of a \$3.15 million bond to finance the upgrades to the Fore River Pump Station in Portland. The actual cost of the project is \$75,000 less than the bond. Staff recommends the unspent amount be allocated to finance the HVAC upgrade at the East End Wastewater Plant. The planned \$575,000 bond to finance the HVAC upgrade will reduced by the \$75,000. The reduced bond amount will lower the Portland's debt service cost by \$4,500 annually.

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

It was Voted and unanimously,

RESOLVED, Resolution 18-016 is hereby amended to allow bond proceeds to be used to finance upgrades to the Heating, Ventilation and Air Conditioning System at the East End Treatment Plant in Portland. 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 21-026, authorizing the General Manager to execute professional services contract with Kleinfelder.

The East End WWTF Primary Sludge Handling and Primary Gallery Upgrades Project (CIP #2021-21/3152) includes upgrades to Gravity Thickener #1 and associated piping and valves, as well as the primary sludge handling and plant water equipment in the primary sludge handling area and associated instrumentation and control. The Project also includes upgrades to electrical equipment in the Primary Gallery.

Staff discussed the scope and objectives of this project with six engineering firms expressing interest in the project. Two of the firms opted out of the RFP process due to workload concerns. The remaining four firms were issued the RFP on June 25th, 2021 and given a deadline of July 29th, 2021 to respond. PWD received one response (Kleinfelder) which was reviewed to ensure understanding of scope, project objectives, and technical quality. Kleinfelder's proposal met or exceeded expectations for all evaluation criteria. Staff therefore recommends contracting with Kleinfelder for detailed design phase engineering services for the Project.

Trustee Garrison questioned why only one firm submitted a proposal on the project. Chris Crovo, Director of Asset Management and Planning explained that engineering firms are busy and also short staffed. One other firm was expected to submit a proposal, but did not do so due to a key employee that was to work on the project leaving the firm.

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

It was Voted 8-1 (Trustee Garrison against) and,

ORDERED, the General Manager is authorized to execute a professional services contract with Kleinfelder in the amount of \$299,207 for preliminary design phase engineering services for the East End WWTF Primary Sludge Handling and Primary Gallery Upgrades Project - Design, (the "Project"); 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 21-027, authorizing a contribution of up to \$600,000 to the Mahoosuc Land Trust.

The Crooked River Headwaters property totals over 12,000 acres, approximately 7,500 acres lie within the Sebago Lake Watershed. All analysis and funding recommendations consider the in-watershed portion of the project only.

Mahoosuc Land Trust is purchasing a conservation easement on the Crooked River Headwaters property. In addition to protecting three miles of frontage on the Crooked River, the easement will conserve thousands of acres of contiguous forestland encompassing the River's headwaters. The project is supported by Sebago Clean Waters, a partnership of conservation organizations, land trusts and the Portland Water District committed to water quality protection through forest

conservation in the Sebago watershed. Additionally, the project will be funded by the Natural Resources Conservation Service RCPP award.

Several Trustees asked questions of staff. For those questions that could not be answered at the meeting, staff will research and provide answers.

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

It was Voted and unanimously,

ORDERED, that the General Manager is authorized to contribute up to \$600,000 to the Mahoosuc Land Trust, to support the conservation of land known as the Crooked River Headwaters located in Waterford, Norway, Greenwood and Albany Township.

Order 21-028, authorizing the transfer of ownership of the Whitney Pond property owned by the Greater Lovell Land Trust.

The 70-acre Whitney Pond parcel was purchased by Greater Lovell Land Trust in 2015 for the purpose of conservation. Located in the Crooked River watershed, its conservation benefits the long-term water quality of Sebago Lake and as such, the District provided a financial contribution of \$36,860 towards its original purchase. The contribution was approved by the Board on February 23, 2015.

Stewardship of this property has proven to be a burden to the land trust's limited resources. As a result, the land trust has decided to sell the property to a private landowner and the trust will retain a conservation easement on the property. This will alleviate the burden of owning the land in fee, and make resources available for other conservation projects, while still ensuring its long-term conservation. The parcel will continue to provide the water quality benefits that were the basis of the District's contribution in 2015.

The property is subject to a Declaration of Trust recorded at the Oxford County Registry of Deeds which requires that "the Property remain in conservation and undeveloped and that any portion of the property not be transferred to any entity, person, or party without prior approval from the Portland Water District". Therefore, for this transaction to go forward, the Water District must approve.

Staff is recommending that the trust repay the District a portion of the District's original contribution to the land purchase.

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

It was Voted and unanimously,

ORDERED, the transfer of ownership of the Whitney Pond property owned by the Greater Lovell Land Trust is hereby authorized according to the terms described herein; and

BE IT FURTHER ORDERED, the General Manager and the Treasurer, each acting singly, are authorized to take such other steps and execute such documents as may be necessary to accomplish the intent of this vote.

OTHER BUSINESS

None

SECOND INVITATION FOR PUBLIC COMMENT

None

TRUSTEE COMMENTS

None

EXECUTIVE SESSION

None

ADJOURNMENT

Meeting adjourned at 6:49 p.m.

Submitted by,

Donna M. Katsiaficas
Clerk