

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, November 27, 2017. Attending from staff were Messrs. Crovo, Kane, Johnson, Wallace, Firmin, Cutrone and Meses. Lewis, Katsiaficas, Clements, and Walker. The meeting was convened by President Lunt at 6:01 p.m. with the Pledge of Allegiance and a moment of silence.

ROLL CALL

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

DECLARATION OF ELECTION RESULTS AND INAUGURATION FOR THE TRUSTEES REPRESENTING PORTLAND, WINDHAM/RAYMOND AND GORHAM ELECTED ON NOVEMBER 7, 2017

Trustee Gary Libby, representing Portland, was sworn in as he began another five-year term.

Trustee Louise Douglas, representing Windham/Raymond, was sworn in as she began another five-year term.

Trustee Thomas Grant, representing Gorham, was sworn in as he began his five-year term.

ACCEPTANCE OF MINUTES

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

Voted all in favor to waive the reading and accept the minutes of the Regular Meeting of October 23, 2017, and the Workshop Meeting of November 13, 2017.

INVITATION FOR PUBLIC COMMENT

None

REPORTS

Operations Committee

Trustee Douglas, Chair, provided a summary of the Operations' Committee meeting. The Wastewater and Water Services Departments presented their respective 2018 budgets, and answered all questions to the satisfaction of the committee members.

Planning Committee

Trustee Levinsky, provided a summary of the Planning Committee meeting. Staff discussed and recommended entering into a lease with the Town of Standish for approximately 0.75 acres of land for MDOT to construct a scenic turnout as part of the Route 35/237 road reconstruction and realignment project slated to start in 2018. Staff also recommended entering into a Cooperative Agreement with the Town of Standish and MDOT regarding design, construction and maintenance of the road improvement project and scenic turnout.

The Asset Management and Planning Department, which is comprised of Environmental and Engineering Services, presented their respective budgets as described in the 2018

Comprehensive Budget Report. Committee members noted they were satisfied with this year's budget proposals for Engineering and Environmental Services

Administration and Finance Committee

Trustee Garrison, Chair, provided a summary of the Administration and Finance Committee meeting. Mr. David Kane presented a motion authorizing a cost-of-living increase to current pensioners of 1.02%. The increase is 50% of the annual consumer price index change, which is the maximum allowed under the defined benefit plan.

The committee reviewed the Administration Departments budget. The managers of Information Services, Financial Services, Customer Service and Employee Services presented their budget request to the Committee and responded to a number of questions posed by the Committee members.

General Manager's Report

- Water and wastewater services were uninterrupted during the high wind and rain event that occurred on October 30th. 70% of Cumberland County was without power. Wastewater was hit the hardest, 22 pump stations were without generators, crews went from station to station with portable generators to keep them running. Ms. Lewis thanked employees for their efforts in having PWD services continue smoothly.
- Meetings were held with the six communities PWD provides sewer service to, to discuss next year's assessments.
- The PUC has proposed changes to Chapter 660, regarding posting of disconnection notices for landlords. Testimony was provided to the PUC as well as written comments, which included proposed language to improve the rule.
- The pilot of the two-week extension of seasonal service on Peaks Island was appreciated by the residents.
- The Department of Environmental Protection presented the 2017 Certificate of Achievement to Scott Firmin and the Portland Water District Wastewater Operations Section.
- Ms. Lewis thanked Trustee Douglas for mentioning the hard work that went into preparing the budget.
- Trustee Garrison, thanked the General Manager and staff for the amount of savings in insurance coverages this year.

NEW BUSINESS

Trustee Grant asked to be allowed to abstain from voting on all budget orders as he is not comfortable voting on a budget he is not familiar with.

Trustee Willey made the motion to allow Trustee Grant to abstain on all budget votes and it was seconded by Trustee Libby. Voted 8-1 (Trustee Cote against).

Order 17-029, adopting the 2018 Budget and Wastewater Assessments.

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

It was Voted (9 – 0 Grant abstained) and,

ORDERED, that the 2018 Budget and Wastewater Assessments as presented by the General Manager are accepted and adopted and shall be filed with the minutes of this meeting; and pursuant to Section 12 of the District’s Charter, to assess for 2018 the participating municipalities for wastewater related costs as follows:

Town of Cape Elizabeth	\$ 1,539,840
Town of Cumberland	905,364
Town of Falmouth	310,056
Town of Gorham	1,106,148
City of Portland	12,248,424
City of Westbrook	2,533,176
Town of Windham	360,528

and to assess non-participating municipal corporations for billing-related costs as follows:

City of South Portland	\$ 197,184
Scarborough Sanitary District	11,256

Order 17-030, adopting the 2018-2022 Capital Improvements Plan.

The Board was requested to adopt the 2018-2022 proposed capital improvement plan and authorize staff to implement the 2018 projects within the restrictions stated below and in compliance with the purchasing policy guidelines.

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

It was Voted (9 – 0 Grant abstained) and,

ORDERED, that the 2018-2022 Capital Improvement Plan is hereby adopted and the General Manager is authorized to solicit bids or proposals for the year 2018 projects, excepting CIP# 50, project 2542 – Hansen Replacement, and to authorize the General Manager to award contracts for approved projects to the lowest bidder if the bid is within the project budget;

BE IT FURTHER ORDERED, that the General Manager shall solicit bids or proposals and to partner with Municipalities, MDOT and Developers for the year 2018 for the replacement and extension of water mains, services, valves and hydrants as outlined in the Water Distribution Systems Upgrades Program and to

authorize the General Manager to award and enter into contracts if the bid or partnering proposals are within the overall program budget.

Order 17-031, authorizing the General Manager and Treasurer to begin the process of a 2018 water rate increase.

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

The Board was requested to authorize the General Manager and Treasurer to begin preliminary steps necessary to prepare a rate adjustment of approximately 3.8%.

It was Voted (9 – 0 Grant abstained) and,

ORDERED, that the Board of Trustees directs the General Manager and Treasurer to undertake the preliminary steps necessary to prepare a rate adjustment of approximately 3.8% for further Board consideration.

Resolution 17-013, declaring the Board’s intent to issue debt to reimburse costs incurred for water fund projects identified in the 2018 CIP.

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

It was Voted (9 – 0 Grant abstained) and,

RESOLVED, the Board hereby declares its intent to issue debt to reimburse costs incurred by the District for water fund projects identified in the 2018 CIP. The full form of the resolution is attached hereto and incorporated herein by reference, and shall be part of the minutes of this meeting.

Resolution 17-014, declaring the Board’s intent to issue debt to reimburse costs incurred for Cape Elizabeth’s wastewater fund projects identified in the 2018 CIP.

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

It was Voted (9 – 0 Grant abstained) and,

RESOLVED, the Board hereby declares its intent to issue debt to reimburse costs incurred by the District for the Cape Elizabeth wastewater fund projects identified in the 2018 CIP. The full form of the Resolution is attached hereto and incorporated herein by reference, and shall be part of the minutes of this meeting.

Resolution 17-015, declaring the Board’s intent to issue debt to reimburse costs incurred for Portland wastewater fund projects identified in the 2018 CIP.

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

It was Voted (9 – 0 Grant abstained) and,

RESOLVED the Board hereby declares its intent to issue debt to reimburse costs incurred by the District for the Portland wastewater fund projects identified in the 2018 CIP. The full form of the Resolution is attached hereto and incorporated herein by reference, and shall be a part of the minutes of this meeting.

Resolution 17-016, declaring the Board’s intent to issue debt to reimburse costs incurred for Westbrook wastewater funds’ projects identified in the 2018 CIP.

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

It was Voted (9 – 0 Grant abstained) and,

RESOLVED the Board hereby declares its intent to issue debt to reimburse costs incurred by the District for the Westbrook wastewater fund projects identified in the 2018 CIP. The full form of the Resolution is attached hereto and incorporated herein by reference, and shall be a part of the minutes of this meeting.

Resolution 17-017, declaring the Board’s intent to issue debt to reimburse costs incurred for the ABC Project identified in the 2018 CIP.

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

It was Voted (9 – 0 Grant abstained) and,

RESOLVED the Board hereby declares its intent to issue debt to reimburse costs incurred by the District for the ABC Project identified in the 2018 CIP. The full form of the Resolution is attached hereto and incorporated herein by reference, and shall be a part of the minutes of this meeting.

Order 17-032, authorizing an adjustment in pension benefits for eligible retirees and annuitants.

Since 1989, the Board of Trustees has authority to grant an annual adjustment in pension benefits equal of one-half of the previous year’s consumer price index (CPI) increase up to a maximum of 5%. The adjustment is not automatic; it is subject to the Board’s approval each year. The table below indicates increases given since 2009:

1989 - 2008:	50% of CPI
2009:	Eligible for 2.41%, no increase granted
2010:	CPI negative, no increase granted
2011:	Eligible for 1.14%, no increase granted
2012:	50% of CPI, 1.61%

2013:	50% of CPI, 1.20%
2014:	50% of CPI, 0.72%
2015:	50% of CPI, 0.82%
2016:	CPI negative, no increase granted
2017	50% of CPI, 0.36%
2018	50% of CPI, 1.02%

Trustee Libby asked if the increase was based on the consumer price index for all of New England. General Manager Lewis confirmed it was.

Trustee Siviski commented on the funded ratio being higher than the last few years and asked if staff could comment as to why that is. General Manager Lewis said it can be credited to the stock market performance this year. Trustee Garrison added that the District has done well funding the pension. Trustee Willey agreed that the market increase helped.

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

It was Voted and unanimously,

ORDERED, effective January 1, 2018 an adjustment of 1.02% in pension benefits is authorized for eligible retirees and annuitants in accordance with Article X of the District's pension plans.

Order 17-033, authorizing the General Manager to enter into a lease agreement for a scenic overlook on Route 35, Standish.

The Town of Standish has requested that MDOT construct a scenic overlook as part of the reconstruction and realignment project on Routes 35 and 237. The scenic overlook is proposed to be located on land owned by PWD.

Staff recommends entering into a 25-year lease arrangement with the Town, allowing for the scenic overlook on .75 acres of District property. The proposed lease would be renewable for an additional 25-year term. Rent would be \$1.00 per year. The Town would have the obligation of maintaining the property. The lease could be terminated by the Town on a 30-day notice. PWD could terminate the lease if the Town defaults on its lease obligations.

The Trustees discussed the proposed lease and were satisfied with the answers staff provided.

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

It was Voted and unanimously,

ORDERED, the General Manager is authorized to enter into a lease agreement, in substantial form as that attached hereto, with the Town of Standish for purposes of a Scenic Overlook on Route 35; and

BE IT FURTHER ORDERED, that the General Manager is authorized to execute any documents necessary to carry out the intent of this vote.

Order 17-034, authorizing the General Manager to execute agreements related to the Routes 35 and 237 highway improvement project.

Since 2012 the District has been working with MDOT to relocate a portion of Routes 35 and 237 away from the Lake in order to remove the threat of a vehicle accident contaminating the water supply, and to remove roadway drainage from the Sebago Lake watershed. The project has reached a completion of design, and MDOT expects to send it out to bid in early December, with construction beginning in the spring of 2018.

In consideration of MDOT moving the road, PWD agreed to pay a portion of the relocation costs and provide an easement for highway purposes. In addition, there is a cost to PWD of relocating PWD's fence. MDOT has agreed to give PWD a credit for the relocation of utility poles, which are currently in the right-of-way and must be moved to the new road area. Netting out the \$50,000 credit for such utility relocation, PWD's share of the cost for the road relocation is estimated to be \$205,600 (this amount includes the costs to relocate PWD's fence).

In addition, MDOT is in need of an easement for the relocated road. The highway easement encumbers approximately one acre of PWD land. Slope and Drainage easements total approximately 2.3 acres. PWD proposes donating these easements in consideration for MDOT relocating Route 35 away from the lake and addressing drainage issues that affected the lake.

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

It was Voted and unanimously,

ORDERED, that the General Manager is hereby authorized to execute an Agreement among PWD, MDOT and the Town of Standish, regarding the Routes 35 and 237 highway improvement project, in substantial form as attached hereto; and

BE IT FURTHER ORDERED, that the General Manager is authorized to execute an easement deed and donation form conveying an easement to MDOT for purposes of the highway relocation project; and

BE IT FURTHER ORDERED, that PWD's share of the Agreement, in the approximate amount of \$205,600 shall be paid from the 2017 CIP, Subprogram #425, Routes 35/237 Relocation, Project #1668.

Order 17-035, authorizing the General Manager to execute agreements related to the ABC Project.

The Board of Trustees previously approved a contract and amendment with Arcadis for professional services to assist the District with the RFP process to identify, select and negotiate for new software for asset management, billing and customer relations (see Order 16-041, Order

17-021). The District followed the corporate purchasing policy as approved by the Board of Trustees in May 2011.

In September, Staff presented to the Board of Trustees the results of the proposal evaluations and recommended that the District proceed with contract negotiations with Cayenta. The District, with support from Arcadis, has successfully concluded negotiations with Cayenta for the License Agreement, Software Implementation Services Agreement, Support and Maintenance Agreement, Software Escrow Agreement and the Electronic Bill Presentment and Payment Agreement. The District's Master Consulting Agreement supersedes all of the above agreements.

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

It was Voted and unanimously,

ORDERED, the General Manager is hereby authorized to execute Agreements with Cayenta for software licenses, software implementation services and support and maintenance services for the new asset management, billing and customer relations software for the ABC Project Technology Upgrade and Replacement (CIP 2018 – 50/2414 & 2542); and

BE IT FURTHER ORDERED, the General Manager is hereby authorized to execute an Implementation Support Service contract with Arcadis for the ABC Project Technology Upgrade and Replacement (CIP 2018 – 50/2414 & 2542); and

BE IT FURTHER ORDERED, the General Manager is hereby authorized to execute Agreements with Invoice Cloud and Chase Paymentech for electronic bill presentment and payment processing for the ABC Project Technology Upgrade and Replacement (CIP 2018 – 50/2414 & 2542); and

BE IT FURTHER ORDERED, the General Manager is hereby authorized to execute an Escrow Agreement with Cayenta and Iron Mountain for the ABC Project Technology Upgrade and Replacement (CIP 2018 – 50/2414 & 2542); and

BE IT FURTHER ORDERED, that a total project budget is hereby authorized, not to exceed \$4,600,000; and

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

Resolution 17-018, adopting the Board's meeting schedule for 2018.

The Board reviewed the proposed meeting calendar for 2018.

Trustee Libby asked Trustee Levinsky if the religious holidays had been resolved to his satisfaction. Trustee Levinsky confirmed they had.

It was moved by President Lunt and seconded by Trustee Libby.

It was Voted and unanimously,

RESOLVED, to adopt the proposed Board of Trustees meeting schedule for 2018.

EXECUTIVE SESSION

None

OTHER BUSINESS

None

SECOND INVITATION FOR PUBLIC COMMENT

None

TRUSTEE COMMENTS

Trustee Willey asked if the December business meeting date had been changed to December 18. It has and there was no need to vote on it as the change has been made in enough time to put the notice in the local paper.

Trustee Libby thanked the voters of Portland for their support in re-electing him.

Trustee Garrison congratulated the newly elected and re-elected Trustees. He also commented that the ABC Project is a huge undertaking by the District and asked for patience while the transition to the new program takes place.

President Lunt welcomed new Trustee, Thomas Grant and welcomed back returning Trustees Libby and Douglas.

Adjournment.

Meeting adjourned at 6:50 p.m.

Submitted by

Donna M. Katsiaficas, Esq.
Clerk