

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, December 17, 2018. Attending from staff were Messrs. Kane, Crovo, Wallace, Firmin, Johnson and Ms. Lewis, Katsiaficas, Demers and Walker.

The meeting was convened by President Lunt at 6:04 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 except Trustee Douglas.

**INAUGURATION FOR THE TRUSTEE REPRESENTING SCARBOROUGH ELECTED ON NOVEMBER 6, 2018**

Trustee Seth Garrison, representing Scarborough, was sworn in as he began another five-year term.

**ACCEPTANCE OF MINUTES**

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

Voted all in favor to accept the minutes of the Regular Meeting of November 26, 2018, and the minutes of the Workshop Meeting of December 10, 2018.

**INVITATION FOR PUBLIC COMMENT**

None

**REPORTS**

**Operations Committee**

Trustee Siviski provided a summary of the Operations Committee meeting on December 10, 2018. Staff provided an update on recent events at the East End WWTF related to a significant power loss. Flow to the plant was maintained and a number of treatment processes remained in operation, including the disinfection process. It was determined that a failure of the main feeder cables to the plant was the cause of the outage. A large generator was rented and the plant has been operating fully on the generator. Littlejohn pump station upgrade, Baxter Boulevard pump station upgrade and Windham-Westbrook-Gorham Treatment Aeration upgrade and the Sludge Storage Odor Control project will be taken up under new business tonight. Staff provided a brief review of the “Nutrient Optimization” report and discussed the proposed resolution to endorse the report. As the report was to be discussed at the Workshop, the Committee focused on a review of the resolution.

Trustee Willey asked if the East End is still operating on a generator. At this time, it is and the new feeder cable should be run this week or next.

### **Planning Committee**

Trustee Levinsky provided a summary of the Planning Committee meeting on December 10, 2018. Staff recommended a contribution of \$345,000 toward the purchase of 1,417 acres in the direct watershed of Sebago Lake in the town of Sebago. Staff also recommended amending the SMRWC by-laws.

### **Administration and Finance Committee**

Trustee Willey provided a summary of the Administration and Finance Committee meeting on December 10, 2018. Mr. Kane presented two bond motions. Both items will be taken up under new business. Ms. Demers provided an overview of the employee benefit program for 2019. A draft work plan for the Committee for 2019 was distributed. The Committee will provide feedback and suggestions at the January 2019 meeting. Trustee Willey also noted that a request was made for monthly updates on the ABC Project.

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

General Manager Lewis provided an update to the Board about the activities of the National Drinking Water Advisory Council, which she chairs. The update included a description of the financing mechanisms available to water utilities for the financing of projects. She also informed the Board that the purchase of American iron and steel will continue to be a federal requirement in federally funded projects, as will the payment of the prevailing wage. The consumer confidence report will now need to be provided to customers twice a year. Ms. Lewis also described for the Board an EPA grant program, which provides funds to institutions for work force development programs.

Trustee Willey asked about the 60-day comment period on the Waters of the United States rule, which is the rule that defines which waters are under federal jurisdiction. Ms. Lewis replied that the comment period is not open yet.

Trustee Garrison asked if the District has done a field survey on the private side to confirm if there are any lead service lines. Jim Wallace explained the District has done an asset review of records, which would show what was on private. Trustee Garrison would also like a consequence of failure study done along with the risk & resiliency assessment. Ms. Lewis responded that it will be part of the revised master plan but it may not be ready for 2020, when the risk & resiliency assessment is due.

Part 3, in the video series, *Protecting a Trillion Gallons of Water* was shown to the Board.

### **NEW BUSINESS**

**Resolution 18-015**, awarding the Water Bottle Filling Station Grants.

The Water Bottle Filling Fountain Grant Committee met on December 10 and selected nine recipients for the Board's consideration. Applications were reviewed and judged primarily on potential exposure and public access and the promotion of healthy tap water.

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

It was Voted and unanimously,

BE IT RESOLVED, that the Board of Trustees hereby awards the following Water Bottle Filling Station Grants for the installation year of 2019:

Boys and Girls Clubs of Southern ME	Portland, Maine	Retrofit
Cape Elizabeth Community Services	Cape Elizabeth, Maine	Retrofit
Helena Dyer Elementary School	South Portland, Maine	Retrofit
East End Community School	Portland, Maine	Retrofit
Frank I Brown School PTA	South Portland, Maine	Retrofit
Oxford Cumberland Canal School	Westbrook, Maine	Retrofit
Skillin Elementary School	South Portland, Maine	Retrofit
State Street Housing Preservation	Portland, Maine	Retrofit
Greater Portland Health	Portland, Maine	Stand Alone

**Public Hearing**, regarding the issuance of water and wastewater bonds for Cape Elizabeth and Portland.

President Lunt opened the public hearing, no members of the public wished to speak. President Lunt closed the public hearing.

**Resolution 18-016**, authorizing issuance of bonds to finance upgrades at the Cape Elizabeth Treatment Plant.

The proposed motion provides funding for projects previously approved by the Board of Trustees:

Cape Elizabeth HVAC:	2016 CIP 418-2569/2572	\$ 25,000
	2018 CIP 418- 2701	\$ 850,000
	Total	<u>\$ 875,000</u>
Portland HVAC:	2018 CIP 21- 2705	\$ 2,500,000

The 2019 operating budget assumed the issuance of the Cape Elizabeth \$875,000 and Portland \$2.5M bonds would be issued in 2019 and is incorporated into the multi-year plan provided to the municipality.

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

It was Voted and unanimously,

RESOLVED, the issuance of up to \$875,000 in Sewer Bonds to finance ultraviolet treatment upgrades at the Cape Elizabeth Treatment Plant in Cape Elizabeth is hereby authorized. 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, and

RESOLVED, the issuance of up to \$2,500,000 in Sewer Bonds to finance pump station upgrades at the Fore River Pump Station in Portland is hereby authorized. 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.

**Resolution 18-017**, authorizing issuance of up to \$7,500,000 in bonds to finance the installation and renewal of water mains and related infrastructure.

The approved 2019 Capital Improvement Plan includes \$10,175,000 of water distribution system upgrade projects being financed through the issuance of a \$7,500,000 bond and a \$2,675,000 withdrawal from the water renewal/replacement fund.

Staff proposes issuing a bond either through the Maine Municipal Bond Bank or as a publicly issued bond. The bonds may be issued through the Bond Bank's regular or state revolving loan fund. Mains have a 77-year useful life (PUC rules define useful life), and we expect no additional annual operating costs as a result of these projects being financed. At least \$2,000,000 of the projects will be projects listed on the System Infrastructure Assessment report filed with the PUC and, therefore, the projects debt service costs are eligible to be funded from the capital reserve fund. That \$2,000,000 will be financed over 10 years with the remaining \$5,500,000 financed over 20 years.

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

It was Voted and unanimously,

RESOLVED, the issuance of up to \$7,500,000 in bonds to finance the installation and renewal of water mains and related infrastructure is hereby authorized. 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 18-038**, authorizing the General Manager to execute a professional services contract with Tighe & Bond for the Littlejohn Pump Station Upgrades.

The Littlejohn (formerly referred to as Family Field) Pump Station is the largest wastewater pump station in the Northern Cape Elizabeth collection system. The station was built during the mid-1970's and several critical systems including pumps, piping, HVAC, SCADA and electrical gear remain in service today.

The focus of these upgrades will be to renew or replace all equipment that has reached the end of its useful life and upgrade the ventilation and power distribution system as needed to maintain long-term reliability of the station. This will address pumps, process piping and valves, MCC, SCADA panel, and HVAC equipment.

Staff reviewed and scored four proposals from qualified teams that provided proposed methods for achieving the project goals. Based on the outcome of the review and ranking, Tighe & Bond received the best overall score (130). Staff therefore recommends award to Tighe & Bond for an amount of \$169,484, which includes design phase services from preliminary design through project bidding.

This project includes design phase engineering services, including preliminary design, detailed design and bidding. As approved by Board Order 18-024 on July 23, 2018 the comprehensive method for procuring engineering services will be used for this project, meaning that it is anticipated that the same firm will be utilized for detailed design as well as construction services. An amendment to this agreement with Tighe & Bond is therefore anticipated to cover construction phase services once the final design is complete and the required scope can be refined.

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

It was Voted and unanimously,

**ORDERED**, a professional services contract with Tighe & Bond, in the amount of \$169,484 is hereby authorized, for design phase engineering services for the Littlejohn Pump Station Upgrades (CIP 2018-51/1360); 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 18-039**, authorizing the comprehensive method for the procurement of engineering services for the Baxter Boulevard Pump Station Upgrade Project.

Pursuant to the District's purchasing policy, staff is seeking approval from the Board of Trustees to procure engineering services (comprehensive method) for design and construction services associated with the upgrades to the Baxter Boulevard Pump Station. 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.

Staff estimates that the cost for the design phase portion of this project to be \$250,000. The design will include upgrades to the piping, power distribution system and electrical switchgear, heating and ventilation equipment, and controls. Construction phase is currently scheduled for consideration as part of the 2020 Capital Improvement Plan. Construction and construction phase engineering costs are expected to be \$1,750,000 and \$200,000, respectively.

Once the Method is approved, staff will issue a request for proposals. It is expected that a recommendation will be offered to the Board at the March meetings.

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

It was Voted and unanimously,

ORDERED, that the Comprehensive Engineering Method is authorized for the procurement of engineering services for the Baxter Boulevard Pump Station (Portland) Upgrade Project, 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 18-040, authorizing the comprehensive method for the procurement of engineering services for the Westbrook-Gorham-Windham Regional Wastewater Treatment Facility Aeration and Secondary Clarifier Upgrade.

Pursuant to the District's purchasing policy, staff is seeking approval from the Board of Trustees to procure engineering services (comprehensive method) for design and bidding services associated with the upgrades to the aeration and secondary clarification systems at the Westbrook-Gorham-Windham Regional WWTF. 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.

Staff estimates that the cost for the design phase portion of this project to be \$750,000. The design will include replacement of the existing aeration system and reconfiguration of the biological treatment process to enhance system control and energy efficiency. The design will also include refurbishment of the secondary clarifiers. Construction phase is currently scheduled for consideration as part of the 2020 Capital Improvement Plan. Construction and construction phase engineering costs are expected to be \$9,000,000 and \$750,000, respectively.

Once the Method is approved, staff will issue a request for proposals. It is expected that a recommendation will be offered to the Board at the April meetings.

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

It was Voted and unanimously,

ORDERED, that the Comprehensive Engineering Method is authorized for the procurement of engineering services for the Westbrook-Gorham-Windham

Regional WWTF Aeration and Secondary Clarifier Upgrade, 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 18-041**, authorizing the design-build method for the procurement of engineering services for the Westbrook-Gorham-Windham Regional Wastewater Treatment Facility Sludge Storage Odor Control Project.

Pursuant to the District's purchasing policy, staff is seeking approval from the Board of Trustees to procure engineering services (design-build method) for the design and construction of an odor control system for the sludge storage areas at the Westbrook-Gorham-Windham Regional WWTF. The proposed system will be configured in a manner similar to the systems in operation at the Northeast and India Street pump stations. Staff estimates the total project cost to be \$750,000; project completion is anticipated by the end of the first quarter of 2020.

Once the Method is approved, staff will commence with formal bidding and construction contract award pursuant to the Purchasing Policy.

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

It was Voted and unanimously,

**ORDERED**, that the Design-Build Method is authorized for the procurement of engineering services for the Westbrook-Gorham-Windham Regional WWTF Sludge Storage Odor Control project, 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.

**Resolution 18-018**, endorsing the East End WWTF Annual "Nutrient Optimization" Progress Report.

The Casco Bay Estuary Partnership has identified nutrient pollution in Casco Bay as a priority. Excess nitrogen can cause water quality issues that include nuisance algal blooms, low dissolved oxygen, eel grass reductions, and others. Staff has been engaged in the Casco Bay Estuary Partnership's ongoing efforts, most recently through the CBEP Nutrient Council.

With the growing interest in nitrogen, the Department of Environmental Protection considered Casco Bay water quality and nitrogen in the permit renewal process of 2016/2017. The East End WWTF permit, issued in March 2017, requires the following activities related to the reduction of the seasonal nitrogen loading in the plant's effluent:

- Weekly monitoring and reporting of effluent nitrogen (May 1<sup>st</sup> – October 31<sup>st</sup>).
- Attempt to reduce the seasonal (May 1<sup>st</sup> – October 31<sup>st</sup>) mass loading of effluent nitrogen from the historical estimate of 2,437 lbs/day.

- Provide an Annual Progress Report that reports the seasonal mass loading, efforts to reduce the loading, and activities planned for the upcoming year. The report is due by December 31<sup>st</sup> of each year.

Trustee Willey thanked Scott Firmin and staff for the work they do to protect Casco Bay.

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

It was Voted and unanimously,

WHEREAS, on March 20, 2017 the Maine Department of Environmental Protection (the “DEP”) renewed the District’s 5 year MEPDES/WDL Discharge Permit (the “Permit”) for the East End Wastewater Treatment Facility (the “Plant”); and

WHEREAS, the Permit requires that on or before December 31st of each year, beginning in 2018, the District must submit an annual progress report to the DEP which summarizes, among other things, activities related to optimizing nitrogen removal efficiencies and documents seasonal nitrogen discharge loading from the Plant; and

WHEREAS, PWD has completed upgrades at the Plant, including a \$12,500,000 aeration system upgrade which, while not originally intended to specifically reduce effluent nitrogen, may be capable of removing nitrogen in the discharge from the Plant; and

WHEREAS, the District has, in the absence of a regulatory mandate for nutrient limits in the Permit, committed to efforts to reduce the effluent nitrogen in the discharge to address the growing concerns over nitrogen levels in Casco Bay; and

WHEREAS, the District’s goal of a 20 to 40 percent reduction in the seasonal effluent nitrogen discharge was achieved with a 72 percent reduction in 2018 and it is the intent of the District to continue its efforts to manage nitrogen discharges into Casco Bay, with the hope that other sources of nitrogen flow into the Bay will be addressed;

BE IT RESOLVED, that the Board of Trustees hereby endorses the District’s Annual “Nutrient Optimization” Progress Report, dated December, 2018, which shall be submitted to the DEP in accordance with the terms of the District’s Permit.

**Order 18-042**, authorizing a contribution to the Trust for Public Land for property located in the Town of Sebago.

The Sebago Community Forest is over 1,417 acres and is located in the town of Sebago. The Trust for Public Land is purchasing the property and developing a management plan with input from community members. After acquiring the land, they will then transfer ownership to Loon Echo Land Trust who will manage the conserved land as a community forest. The property has abundant water resources including nearly three miles of frontage on the Northwest River, a tributary to Sebago Lake. 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.

The District will require that the land be legally protected from development in perpetuity.

Trustee Siviski asked about the difference between the District's conservation value vs. the appraised value of the land and which figure was used in calculating the recommend contribution. Ms. Lewis explained neither value is used when calculating the contribution. The contribution is based on the proximity of the land to the lake, to the water body that feeds to the lake, to an underground aquifer to its forested level. Mr. Crovo explained the amount is 23% of 1.5 million. Staff, when the policy was being written, came up with a value per acre of what we value the land in the watershed based on past acquisitions.

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

It was Voted and unanimously,

ORDERED, that the General Manager is authorized to contribute up to \$345,000 to the Trust for Public Land, to support the conservation of land known as the Sebago Community Forest located in the Town of Sebago.

**Resolution 18-019**, ratifying the amended bylaws of the Southern Maine Regional Water Council.

The Maine Legislature formed the Southern Maine Regional Water Council (SMRWC, the "Council") in 2005 as a result of utility-sponsored legislation to encourage regional solutions for public water delivery. The Council is made up of seven water utilities, which includes the Portland Water District. At the time of incorporation, the District along with the six other utilities ratified the bylaws under which the Council has operated. In the October 2018 meeting of the SMRWC, the Council directors voted to amend the bylaws. The proposed changes are routine and simply clean up the bylaws to reflect what is presently being done by the Council. Pursuant to the bylaws, the Board of Trustees must approve the amendments.

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

It was Voted and unanimously,

BE IT RESOLVED, that the Board of Trustees hereby ratifies the amended bylaws of the Southern Maine Regional Water Council dated October 24, 2018, attached hereto and incorporated herein by reference.

**Resolution 18-020**, amending the Board of Trustees meeting schedule for 2019.

Due to a conflict, the December business meeting needs to be moved from December 23 to December 16.

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

It was Voted and unanimously,

**RESOLVED**, to amend the Board of Trustees' meeting schedule for 2019.

**EXECUTIVE SESSION**

None

**OTHER BUSINESS**

None

**SECOND INVITATION FOR PUBLIC COMMENT**

None

**TRUSTEE COMMENTS**

Trustee Levinsky would like to remind the public that the lakes have not frozen over yet and to please be safe.

Trustee Willey thanked Nancy Gallinaro, the City of Portland's Water Resource Manager, for her presentation to the Board at the December workshop. He also thanked her staff for the work they do.

Trustee Lunt thanked the crew for working quickly to repair water main break at the new roundabout in Falmouth on December 13.

**Adjournment.**

Meeting adjourned at 7:10 p.m.

Submitted by

Donna M. Katsiaficas  
Clerk