

As voted by the Board of Trustees and in accordance with the notice of the meeting, the monthly Workshop Meeting of the Board of Trustees of the Portland Water District was held in the Nixon Training Center at the general offices of the District, 225 Douglass Street, Portland, Maine on December 12, 2016. In attendance from staff were Messrs. Miller, Crovo, Kane, Wallace, Johnson, Firmin and Mses. Katsiaficas and Clements.

All Trustees were present except Trustees Garrison and Swinton.

President Cote convened the meeting at 6:40 p.m.

1. Hall Street, South Portland, Easement Releases.

Mr. Chris Crovo, Director of Asset Management and Planning, discussed the need for the easement releases.

In 2013, the District abandoned a 1900 12-inch water main that ran through the back yards of all the properties on Hall Street and one property on Broadway and a 6-inch main connecting that 12-inch main to the water main in Hall Street in South Portland. The property owner at 1671 Broadway has contacted the District about releasing the easement for that abandoned main so that he can construct a garage beside his house.

Norm Twaddell, Right of Way Agent, stated that the District has typically been releasing all the easements along abandoned mains. The release will be at no cost to the homeowners and they will become responsible for the main.

Trustee Lunt asked what happens if the one of the homeowner will not sign off on the liability issue. Mr. Crovo explained that the District does the best it can to get the homeowners to sign off. Eventually if they want a clean title they will need to sign. This is the 3rd release the District has done in the last 7-8 years.

It was recommended to forward this to the full Board for their consideration.

2. Discussion regarding an election to fill the open position of the Trustee representing Cape Elizabeth and South Portland.

President Cote stated the Board needs to discuss an election to fill the open position formerly held by Trustee Ross. The current thinking is to hold the election concurrent with the school budget election in June 2017. South Portland's election will be on June 13th and at this time Cape Elizabeth is still undecided, but is tentatively scheduled to hold its election also on June 13, 2017. The election will need to take place at the same time in both towns. President Cote asked for the consensus from Board. If a special election is held, the District will be responsible for the full cost. Trustee Sivisky asked for clarification on the when Cape Elizabeth will hold their election. Mr. Miller explained that Cape Elizabeth has tentatively scheduled their election for June 13th but will not know for sure until the town council approves the budget. Trustee Libby asked what the cost is for a special election. The amount

is unknown. On a typical election the towns have the ballots printed, staff the polls and then send us a bill for our portion of the election. The average bill the District has received has been between \$2500-\$2800 and that is for a portion of the election. Trustee Willey feels the election should be held at a regularly scheduled time to encourage voter turn out.

At this time it is agreed to wait and hold the election in June.

3. Discussion regarding the graffiti wall at the East End Wastewater Treatment Facility.

Donna Katsiaficas, Corporate Counsel, led the discussion. The Board was provided with all the emails and Facebook messages received for and against the wall. In August of 2001 the District made an agreement with the City of Portland to allow the retaining wall near the treatment plant to be used for graffiti. The entities along with the community policing department agreed that the wall could be used for public art. There was no written agreement or formal action by the city council or the Board of Trustees. It was an understanding between the District and mostly the community policing department. In 2006-2007 the District did receive some complaints regarding litter in the area. The city of Portland was contacted and had the area cleaned up. The reason they had the area cleaned up was that earlier in 1997 the District had granted a trail easement to the city of Portland and Portland Trails for the area that abuts the wall making them responsible for maintenance. Other than this one time, the District has not been made aware of there being a significant problem in the area.

President Cote stated the Board has several options to consider. Do nothing, send to sub-committee, hold a special business meeting with public hearing or bring the issue to a regular board meeting.

Trustee Libby stated that Jay York contacted him and raised his concern over the condition of the area, not necessarily the content of the wall, and feels this is a useful discussion to have. Trustee Libby would like to see this issue assigned to a committee, take public comment and then make a recommendation to the Board.

Trustee Lunt is concerned that if we no longer allow graffiti on the wall who will then be responsible for maintaining the area. Trustee Lunt also feels it should go to committee with a recommendation to the Board.

Trustee Douglas is not sure it needs to go to committee. This is the first time in 15 years there has been a serious issue and feels that it is self-policed by the people who use it.

Trustee Willey feels a public hearing should be held before deciding if the issue should go to a committee.

Trustee Levinsky inquired whether it should be a special held meeting for public comment only or part of a regular board meeting. President Cote responded that if it is brought to the full Board it would need to be a specially held meeting.

President Cote surmised that it is not necessarily the content of the wall but more the condition that has residents concerned. Perhaps it's possible to put up no littering signs.

Trustee Libby added that it's not just the litter being thrown over the fence that is of concern but the fact that light poles and rocks in the area have graffiti on them. Ms. Katsiaficas did point out that the fence belongs to the City of Portland and that the slope of land from the fence to the water is District property.

Trustee Lunt asked that if it does go to committee and there is a Trustee that has a specific issue to please let the committee chair know so they can get the question answered before it goes to the full Board.

Mr. Miller suggested that if it does go to committee that they consider holding a special meeting so there is enough time to allow for public comment and questions.

President Cote asked if the Board wanted to set a time in February for the special meeting now or wait until the December business meeting. It was agreed to wait until the December business meeting.

Trustee Willey inquired about a quorum for the Planning Committee since there will only be two members for the next few months. Mr. Miller explained a quorum is not needed if you're not conducting business.

The workshop meeting was adjourned at 7:20 p.m.

Submitted by,

Donna M. Katsiaficas
Clerk