

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, January 23, 2017. Attending from staff were Messrs. Miller, Kane, Crovo, Wallace, Johnson and Mses. Katsiaficas, Clements and Walker. In attendance from the public were Jennifer and Timothy Fitzpatrick of Cape Elizabeth and Seth Lockman of South Portland. The meeting was convened by President Cote at 6:07 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 Trustees Garrison, Levinsky and Dreger.

### **ACCEPTANCE OF MINUTES**

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

Voted all in favor to waive the reading and accept the minutes of the Regular Meeting of December 27, 2016, and the Workshop Meeting of January 9, 2017.

### **INVITATION FOR PUBLIC COMMENT**

None

### **REPORTS**

#### **Operations Committee**

Trustee Lunt provided a summary of the Operations Committee meeting on January 9, 2017. Staff presented a recommendation to seek engineering services (design-build method) for design and construction of an odor control system for the Northeast Pump Station. Staff also received input from committee members on the draft 2017 work plan, and will update the topics and schedule accordingly.

#### **Planning Committee**

Trustee Swinton provided a summary of the Planning Committee meeting on January 9, 2017. Staff provided a recommendation to amend an easement for 989 Shore Road in Cape Elizabeth. Staff also recommended contributions to the following: up to \$3,200 to Western Foothills Land Trust to support the conservation of 40-acre Howe Woodlot parcel located in Waterford, a \$1000 cash grant and \$6,038 in-kind contribution toward the Panther Pond watershed conservation project phase III and to contribute \$24,000 in matching funds towards the purchase of a water-quality buoy for Sebago Lake.

#### **Administration and Finance Committee**

Trustee Siviski (Trustee Garrison was absent) provided a summary of the Administration and Finance Committee's meeting on January 9, 2017. Increase both public and private fire protection rates by the same amount across the board. Mr. Kane presented a proposed motion authorizing taking the necessary steps to implement a 1% water rate adjustment effective May 1, 2017. The adjustment is lower than anticipated in the 2017 Plan due to the strong 2016 financial results which eliminated the need to include in the 2017 rate adjustment a contribution to the water operating contingency fund. The 1% increase continues the Board's 10-year commitment to raise rates by 1% each year to support the investment in replacing aging water mains. The Committee reviewed the consumption assumption used to develop the rates and decided to

accept staff's recommendation to use the same assumption used in the 2017 budget. The rate adjustment will be allocated to customer classes consistent with the Cost of Service Study accepted by the Board at their December 2016 meeting. The Study included two options on allocating the Fire Protection class adjustment between Public and Private Fire Protection – either both getting the same adjustment or adjust only Public Fire. The Committee decided to adjust both Public and Private Fire Protection by 1%. The Committee also reviewed the 2017 Work Plan.

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

The City of Westbrook will be a co-applicant for the permit needed to operate the Westbrook treatment plant. This will make the City directly responsible to the DEP for the timely completion of its projects. The General Manager thanked Scott Firmin for his efforts in making this happen.

The General Manager reminded the Board that the Planning Committee will be meeting on Wednesday evening, January 25<sup>th</sup>. A public hearing on the graffiti wall will take place and he told them to expect that it will be well attended.

Mr. Miller also informed the Board of a piece of pending legislation - LD 40, which requires all schools to test for lead.

### **NEW BUSINESS**

**Order 17-001**, authorizing the Treasurer to begin the process of increasing water rates an average of 1.0% effective May 1, 2017.

The Board of Trustees approved the 2017 budget assuming an average water rate increase of 1.67% with a target effective date of May 1, 2017. Staff provided updated financial information and a specific rate proposal at the January 9, 2017 Administration and Finance Committee.

Trustee Willey wanted the public to know that the increase rate is lower than originally anticipated. Trustee Libby also agreed that it is a very reasonable increase. Mr. Miller clarified that the vote being taken is to approve the start of the water increase process. Trustee Lunt noted that the increase also helps replace aging infrastructure.

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

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 1.0% with new rates to be effective May 1, 2017, with the District allocating the increase to the capital reserve fund to finance the installation of water mains included in the System Infrastructure Assessment report.

**Order 17-002**, authorizing the Design-Build Method of procurement for the Northeast Pump Station 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 Northeast Pump Station.

The Northeast Pump Station is the largest wastewater pumping facility in the system (50 MGD). The proposed project would install an odor scrubber similar to the system in operation at the India Street station to mitigate odors. Staff estimates the total project cost to be \$550,000; project completion is anticipated by the end of the first quarter of 2018.

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 Lunt and seconded by Trustee Libby.

It was Voted and unanimously,

**ORDERED**, pursuant to the District's Purchasing Policy the Design-Build Method is authorized for the procurement of engineering services for the Northeast Pump Station Odor Control Project, 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 17-003**, authorizing the General Manager to execute an easement modification agreement for 989 Shore Road, Cape Elizabeth.

The District has an 8" sewer line running cross country in a 30 foot wide easement between Littlejohn Road and Olde Fort Road in Cape Elizabeth. The property at 989 Shore Road was recently sold and it was found through due diligence that the house and a portion of the deck encroached on the PWD easement. An easement modification was needed to shift the easement away from the encroachment.

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

It was Voted and unanimously,

**ORDERED**, the General Manager is hereby authorized to execute an Easement Modification Agreement with Timothy and Jennifer Fitzpatrick adjusting the sewer easement limits to solve an encroachment issue at 989 Shore Road in Cape Elizabeth, and further to authorize the General Manager and the Treasurer, each acting singly to take such other steps as may be necessary to accomplish the intent of this vote.

**Order 17-004**, authorizing a contribution to the Western Foothills Land Trust.

The Sebago Lake watershed encompasses 450 square miles and includes parts of more than 20 towns. The long term water quality of the lake is in large part a function of the nature and scope of development of the watershed. The Howe Woodlot parcel is 40 acres and is located in the town of Waterford. It is a forested lot that will be protected from future development with a conservation easement. Runoff from the site drains to a small stream which flows to the Crooked River. The Crooked River is the major tributary to Sebago Lake, supplying 38% of its surface water inflow.

The conservation easement will be held by Western Foothills Land Trust.

The motion was moved by Trustee Swinton and seconded by Trustee Libby.

It was Voted and,

**ORDERED**, the General Manager is authorized to contribute up to \$3,200 to the Western Foothills Land Trust, to support the conservation of the 40-acre Howe Woodlot property.

**Order 17-005**, authorizing a contribution to the Panther Pond Conservation Project.

Panther Pond is a 1,439-acre lake located in the Town of Raymond in central Cumberland County, Maine. The Panther Pond Watershed covers 12.3 square miles. The larger watershed covers 25 square miles and includes Crescent Lake, Raymond Pond, and several other smaller ponds. Panther Pond empties into Sebago Lake and contributes about 18% of the flow to Sebago

In addition to a Portland Water District contribution, match will be provided by the Town of Raymond (\$10,800 in-kind services), the Panther Pond Association (\$3000 cash match and \$3,400 in kind services), and Raymond Waterways Protective Association (\$1000 cash match and \$350 in kind services).

It was moved by Trustee Swinton and seconded by Trustee Lunt.

It was Voted and unanimously,

**ORDERED**, the General Manager is authorized to make a cash contribution of up to \$1,000 and an in-kind contribution of \$6,038 to support the Town of Raymond and Cumberland County Soil and Water Conservation District's proposed \$119,000 Panther Pond Conservation Project – Phase III.

**Order 17-006**, authorizing a contribution for a water quality monitoring buoy.

The District has partnered with St. Joseph's College to apply for a Water Resources Sustainability Research Grant from the Maine Water Resources Research Institute . The District will be awarded a grant of \$25,200 to purchase and install a real-time water quality monitoring buoy. The data generated by the buoy would serve multiple purposes. It would help the District better understand the lake and the factors that affect water quality. It would influence operations, management, and decision making surrounding source water protection. It would help the

District, St. Joseph's College, and the global community better understand lake dynamics, particularly the interactions between lakes and climate. And it would serve as a focal point in educating neighbors who live and recreate on the lake about the importance of the sustainability of Sebago Lake and its watershed.

St. Joseph's College plans to use the buoy to involve environmental science students in the monitoring and protection of Sebago Lake.

Additional in-kind match of \$22,471 will be provided by St. Joseph's College.

Trustee Willey asked if there is currently a monitor that takes real time readings? Staff responded that there is not. Trustee Libby is very excited about being able to receive this real-time information and how the District will be better able to understand the changes in the lake and see how our efforts in resource protection are paying off.

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

It was Voted and unanimously,

**ORDERED**, the General Manager is hereby authorized to make a cash contribution of up to \$24,000 and a \$7,300 in-kind contribution to support the purchase, installation, and maintenance for one year of a real-time water quality monitoring buoy in the Lower Bay of Sebago Lake.

**Resolution 17-001**, appointing representatives to the Southern Maine Regional Water Council Board of Directors.

The Board of Trustees must annually appoint a representative to serve on the Southern Maine Regional Water Council. Presently, Chris Crovo is the District's representative, with Trustee Lunt designated as the District's alternate representative.

Pursuant to the Council's bylaws, the District's appointment would be confirmed by the membership at the next annual meeting, which will occur in April, 2017. The period of appointment as PWD's representative will be for the period January 1, 2017 through December 31, 2017.

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

It was Voted and unanimously,

**BE IT RESOLVED** that Christopher Crovo is appointed as Portland Water District's representative to the Board of Directors of the Southern Maine Regional Water Council; and

**BE IT FURTHER RESOLVED** that Trustee William M. Lunt III is designated as the District's non-voting Alternate Representative to the Southern Maine Regional Water Council. Both appointments shall be through December 2017.

## **Consideration of Appointment of the General Manager**

President Cote presented to the Board Ms. Carrie Lewis for their consideration as the next General Manager of PWD.

Trustees Lunt and Willey expressed that they would not vote in favor of Ms. Lewis.

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

It was Voted 5-2 (Lunt and Willey opposed) and,

To appoint Carrie Lewis of Milwaukee Wisconsin as General Manager of Portland Water District effective on or about March 1, 2017, and to ratify the terms of employment pursuant to the Board's offer letter dated January 15, 2017.

## **EXECUTIVE SESSION**

None

## **OTHER BUSINESS**

None

## **SECOND INVITATION FOR PUBLIC COMMENT**

None

## **TRUSTEE COMMENTS**

None

## **Adjournment.**

Meeting adjourned at 7:06 p.m.

Submitted by

Donna M. Katsiaficas  
Clerk