



## MEMORANDUM PORTLAND WATER DISTRICT

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TO: Board of Trustees

FROM: Carrie Walker

DATE: September 7, 2022

RE: **Special Meeting and Workshop – Monday, September 12, 2022**

There will be a Special Meeting and a Workshop Meeting of the Board of Trustees of the Portland Water District on Monday, September 12, 2022. The meeting will begin at 6:30 p.m. in the Nixon Training Center at the general offices of the District, 225 Douglass Street, Portland, Maine. The Special Meeting will be followed by a Workshop of the Board of Trustees. The Special Meeting and Workshop will be preceded by meetings of the following Board committees:

<b><u>Committee</u></b>	<b><u>Room / Location</u></b>	<b><u>Time</u></b>
Pension	General Manager's Conference Room	5:15 p.m.
Administration & Finance	Monie Room	5:30 p.m.
Operations	EOC 2 <sup>nd</sup> Floor	5:30 p.m.
Planning	Nixon Training Center	5:30 p.m.

### **SPECIAL MEETING**

1. **Order 22-032**, ratifying the labor contract with Teamsters Local Union #340.

### **AGENDA – WORKSHOP**

1. **The Sebago Clean Waters Partnership**  
Karen Young, Partnership Director of Sebago Clean Waters, will make a presentation about the history of Sebago Clean Waters, a review of some recent developments, and a description of some of the things the group hopes to accomplish in the next several years.
2. **Other Business**
3. **Adjourn**



# Memorandum

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**TO:** Board of Trustees  
**FROM:** Carrie Lewis, General Manager  
**DATE:** September 6, 2022  
**RE:** Union Contract Ratification

On August 23, 2022 Teamsters Local 340 membership voted in favor of ratifying the Memorandum of Tentative Agreement, attached.

Thanks to all who worked diligently to reach this agreement, including the members of both negotiating teams and Peter Bennett and Pawel Binczyk of The Bennett Law Firm and Joe Piccone of Teamsters Local 340.

I am recommending that the Board of Trustees approve the contract by adopting the following Order:

**Be it Ordered that the Board of Trustees hereby ratifies the Memorandum of Tentative Agreement between the Portland Water District and Teamsters Local 340 as approved by the membership of the bargaining unit on August 23, 2022, and authorizes the General Manager to execute an Agreement consistent with the terms of the Memorandum of Agreement on behalf of the District.**

## **MEMORANDUM OF TENTATIVE AGREEMENT SIGNED AUGUST 15, 2022**

The Portland Water District and Teamsters Local Union No. 340 have reached the following tentative agreement for a collective bargaining agreement to replace the agreement that expired on November 7, 2021, subject to this tentative agreement being ratified by the bargaining unit on or before August 31, 2022.

### **Article IV Job Classifications and Wage Rates.**

#### **Section 1.**

Increase wage rates by 8.19% effective the pay period following the date of Board of Trustee approval.

Increase wage rates by 4% effective November 7, 2022.

Increase wage rates by 4% effective November 6, 2023.

#### **Lump sum retroactive payment.**

Bargaining unit employees employed on the date of Board of Trustee approval will receive a lump sum payment based on 3% of their earnings between November 8, 2021, and December 31, 2021, plus an additional 8.19% of their earnings between January 1, 2022, and the effective date of the first year wage increase.

#### **Section 6. Stipends.**

Effective upon the date of Board of Trustee approval, the maximum total stipend remains \$300, but will include stipends for education, \$100 for a related degree and \$100 for a higher degree, and CDL licenses, provided that CDL license holders participate in the District's CDL compliance program and are available to utilize their CDL license for the District as needed.

#### **License Testing**

Effective upon the date of Board of Trustee approval, for any employee who is required to get a license within two years of being hired into a position by the District, the District will pay for one examination for each required license regardless of whether the employee passes.

### **Article V Work Week and Hour Regulations.**

#### **Section 17. Compensatory Time.**

Increase from current 30 hours to 40 hours.

### **Article VI Shift Employees.**

Effective upon the date of Board of Trustee approval, \$0.50 per hour shift differential for any employee that is assigned and works any part of the regularly scheduled shift between 6PM and

6AM at the East End Wastewater Treatment Facility and the Sebago Lake Water Treatment Facility. Differential only applies to those hours actually worked between 6PM and 6AM.

#### **Article VIII Holidays.**

Add Juneteenth to the list of contractual holidays effective 2022. Update Shift language to incorporate Juneteenth.

#### **Article XVI Health and Welfare.**

Effective January 1, 2023, the District will offer four health insurance plans – HMO \$0, POS, HMO w HRA, and HMO \$2500. The District may change insurance carriers and programs so long as plan benefit design is reasonably similar to existing plan benefit design. No changes will be implemented for bargaining unit employees unless such changes are applicable to non-union participants.

Each of the four plans has four tiers – Single, EE/Child, EE/Spouse and Family.

An employee who elects to participate will select a plan and a tier at open enrollment each year.

The District will pay a set amount for each tier which shall be known as the District Contribution. The District Contribution will adjust annually and will be based on two components.

The primary component of the District Contribution. The District will contribute a percentage of the HMO w HRA plan premium as follows:

Single 92%

Employee + Child 84%

Employee + spouse 82.5%

Family 80%.

The second component of the District Contribution is a subsidy derived from the HRA component of the HMO w HRA plan. The HRA component represents the amount that PWD subsidizes the deductible and co-insurance in the HMO w HRA plan. (Each year, the insurance company sets the annual premium and estimates the HRA component based on projections of employee enrollment and utilization in the plan.)

*gml 8.15.22*



Employees will continue to contribute toward the cost of the plan with the minimum employee contribution of \$2 per week. For calendar year 2023, employees will contribute as follows for each tier and plan.

	<b>HMO \$0</b> Identical coverage to 2022	<b>POS</b> Identical coverage to 2022	<b>HMO w HRA</b> Identical coverage to 2022 non-union plan. Amounts include PWD subsidy	<b>HMO \$2500</b> New plan design
	Employee Pays	Employee Pays	Employee Pays	Employee Pays
Single	\$27.65	\$22.38	\$17.72	\$2.00
EE + Child(ren)	\$76.76	\$67.82	\$60.26	\$16.43
EE + Spouse	\$102.37	\$91.32	\$81.42	\$27.84
Family	\$137.84	\$124.52	\$112.10	\$48.04

The rate of compensation for employees who opt out of the District's health care plan shall increase from 30% of the single rate to 40% of the single rate of the highest cost offering. Employee must continue to provide proof of coverage through another employer's group health plan.

## **Article XVII Pension Plan.**

### **Section 2. District Pension Plan for Employees Hired On Or Before December 31, 2010.**

Eliminate separate tier for pay grades A through E. Increase monthly benefit rate by \$.75 per year of agreement for total increase of \$2.25 (from current \$39.25 to \$41.50).

Increase subsection f match for the 457 Plan from \$1225 per year to \$1500 per year.

## **Article XVIII Sick Leave Plan.**

Effective upon the date of Board of Trustee approval, add an Earned Paid Leave benefit (same policy as non-union employees).

*9/11/22*

**Section 9.**

**Unused sick leave upon voluntary separation or retirement.**

Effective upon the date of Board of Trustee approval, when an employee age 62 or older voluntarily leaves active service with the District, the employee shall receive an amount equal to the rate of pay at the time of their separation for one-half (1/2) the number of days of accumulated unused sick leave, to a maximum of one hundred (100) days. (The maximum payment to which an employee shall be entitled is equal to wages for fifty (50) days.)

Effective upon the date of Board of Trustee approval, when an employee hired prior to January 1, 2011, and who is at least age 55 and not yet age 62, retires from active service with the District, is immediately eligible for and elects to receive retirement benefits under the District Pension Plan, the employee shall receive an amount equal to the rate of pay at the time of retirement for one-half (1/2) the number of days of accumulated unused sick leave, to a maximum of one hundred (100) days. (The maximum payment to which an employee shall be entitled is equal to wages for fifty (50) days.)


**Bonus.**

Each full time bargaining unit employee actively employed as of the date of Board of Trustee approval shall be eligible to receive a \$250 bonus in the pay period ending July 3, 2023, and a \$250 bonus in the pay period ending July 1, 2024 for a total bonus potential of \$500. The employee must be employed at the time of the bonus to receive the payment.

EXECUTED this 15th day of August, 2022.

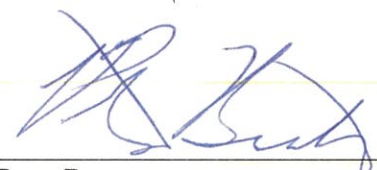
FOR THE UNION:

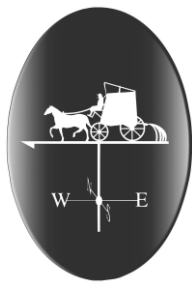
TEAMSTERS LOCAL UNION NO. 340,  
TRUCKDRIVERS, WAREHOUSEMAN  
AND HELPERS

  
Joe Piccone  
Business Agent

FOR THE DISTRICT:

THE PORTLAND WATER DISTRICT

  
Peter Bennett  
Its Negotiator



## **MEMORANDUM PORTLAND WATER DISTRICT**

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TO: Pension Committee / Board of Trustees

FROM: Mary Demers, Director of Employee Services

DATE: September 1, 2022

RE: **Pension Committee Meeting – September 12, 2022**

A meeting of the Pension Committee of the Portland Water District Board of Trustees is scheduled for Monday, September 12, 2022 in the General Manager's Conference Room of the District, 225 Douglass Street, Portland, Maine. The start time is 5:15 p.m. or upon arrival of all committee members.

### **AGENDA**

1. **Approval of Pension Distributions**  
Staff will present a request to approve benefits for two retirees.
2. **Other Business**



## MEMORANDUM PORTLAND WATER DISTRICT

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TO: Administration and Finance Committee / Board of Trustees

FROM: David Kane, Director of Administration  
Mary Demers, Director of Employees Services

DATE: September 1, 2022

RE: **Administration and Finance Committee Meeting – September 12, 2022**

A meeting of the Administration and Finance Committee of the Portland Water District Board of Trustees will be held on Monday, September 12, 2022 at 5:30 p.m., in the Monie Conference Room of the District, 225 Douglass Street, Portland, Maine.

### **AGENDA**

**1. Pension Plan Amendment**

The union contract changes the amount of the bargaining unit pension benefit. A proposed amendment to the defined benefit pension plan will be proposed to update the plan.  
(See attached memo)

**2. Non-Union Pay Adjustment**

Staff recommends a motion authorizing an adjustment to non-union salary. (See attached memo)

**3. Water Rate Adjustment**

Staff will present a motion supporting a 5.6% water rate adjustment effective January 1, 2023.  
(See attached memo)

**4. Maine Water Assistance Program**

Maine State Housing Authority is implementing a new program providing financial assistance to the District's water and wastewater customers. Staff will provide an overview of the program.



## **ADMINISTRATION AND FINANCE COMMITTEE / AGENDA ITEM SUMMARY**

Agenda Item: 1  
Date of Meeting: September 12, 2022  
Subject: Bargaining Unit Pension Plan's Amendment to Clarify Benefits Received by Currently Employed Participants  
Presented By: Mary Demers, Director of Employee Services

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### **RECOMMENDATION**

The following proposed language is presented for Board of Trustee approval:

ORDERED, that the Sixth Amendment to the Portland Water District Bargaining Unit Employees' Pension Plan, effective for retirements occurring on or after November 1, 2021, in substantially the form presented at this meeting and ordered filed with the minutes hereof, is hereby adopted and approved, with such changes therein, not inconsistent with the general tenor thereof, as the officers of the District, with the advice of counsel, deem necessary or appropriate to carry out the objectives thereof or to obtain the approval of the Internal Revenue Service that the Plan is qualified under Section 401 of the Internal Revenue Code of 1986, as amended (the "Code").

BE IT FURTHER ORDERED, the General Manager (or other appropriate person) is authorized to take any action necessary or appropriate to effectuate the foregoing votes, including but not limited to (i) executing the formal documents, and (ii) communicating plan changes to plan participants and eligible individuals.

AND BE IT FURTHER ORDERED, that all actions heretofore taken by any employee of the District in connection with the actions authorized by the foregoing resolutions, and all actions related thereto, are hereby approved, ratified and confirmed in all respects.

### **BACKGROUND ANALYSIS**

At the September 12, 2022 meeting, the Board ratified the labor agreement between the Teamsters Local 340 and the District. The agreement included an increase for bargaining unit employees participating in defined benefit pension benefits that retire on or after November 1, 2021. The summary of the changes are listed below:

<b><u>Pay Grade</u></b>	<b><u>Current Benefit</u></b>	<b><u>11/1/2021</u></b>	<b><u>11/7/2022</u></b>	<b><u>11/6/2023</u></b>
A-E	\$38.25/year of service	\$40.00	\$40.75	\$41.50
F-L	\$39.25/year of service	\$40.00	\$40.75	\$41.50

The proposed Bargaining Plan amendment incorporates these changes.



**FISCAL REVIEW / FUNDING**

The pension benefits change increases the pension liability by approximately \$300,000 and annual expense by \$110,000.

**LEGAL REVIEW**

Corporate Counsel has reviewed and approved the proposed motions as to form.

**CONCLUSION(S)**

Staff recommended the Board approve the proposed motion.

**ATTACHMENTS**

A. Sixth Amendment to Bargaining Unit Pension Plan

**SIXTH AMENDMENT  
TO THE  
PORTLAND WATER DISTRICT  
BARGAINING UNIT EMPLOYEES' PENSION PLAN**

The Portland Water District Bargaining Unit Employees' Pension Plan was last amended and restated effective generally January 1, 2015. The Plan is hereby further amended in the following respects:

1. The terms used in this Amendment shall have the meanings set forth in the Plan unless the context indicates otherwise.

2. Section 4.01 of the Plan is hereby amended to include the following new paragraphs (g) through (i):

(g) A Participant retiring on or after November 1, 2021, on his or her Normal Retirement Date shall be entitled to: a monthly Normal Retirement Benefit equal to Forty Dollars (\$40.00), multiplied by the number of his or her years and months (not to exceed forty-five (45) years) of Credited Service.

(h) A Participant retiring on or after November 7, 2022, on his or her Normal Retirement Date shall be entitled to: a monthly Normal Retirement Benefit equal to Forty Dollars and Seventy-Five Cents (\$40.75), multiplied by the number of his or her years and months (not to exceed forty-five (45) years) of Credited Service.

(i) A Participant retiring on or after November 6, 2023, on his or her Normal Retirement Date shall be entitled to: a monthly Normal Retirement Benefit equal to Forty-One Dollars and Fifty Cents (\$41.50), multiplied by the number of his or her years and months (not to exceed forty-five (45) years) of Credited Service.

3. This Amendment shall be effective for retirements occurring on or after November 7, 2017.

IN WITNESS WHEREOF, to record adoption of this Amendment, the Portland Water District has caused this instrument to be executed by its duly authorized officer this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

WITNESS:

PORTLAND WATER DISTRICT:

\_\_\_\_\_

By:\_\_\_\_\_



Portland Water District  
*From Sebago Lake To Casco Bay*

## **ADMINISTRATION AND FINANCE COMMITTEE / AGENDA ITEM SUMMARY**

Agenda Item: 2  
Date of Meeting: September 12, 2022  
Subject: Non-Union Salary Adjustment  
Presented By: Mary Demers, Director of Employee Services  
Carrie Lewis, General Manager

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### **RECOMMENDATION**

The following proposed language is presented for Board of Trustee approval:

WHEREAS, compensation for non-union employees was adjusted on January 1, 2022 by 3%, which was an estimate of the increased cost of living for calendar year 2022,

WHEREAS, inflation has been higher than anticipated and the District's compensation consultant reported the actual 2022 cost-of living increase for 2022 will be between 5 and 7%;

NOW THEREFORE:

BE IT ORDERED, that non-union employee compensation be increased by 3% effective July 1, 2022.

### **BACKGROUND ANALYSIS**

At the December 20, 2021 meeting, the Board authorized non-union pay adjustment bringing compensation to the market salaries. Additionally, the adjustment included a 3% cost-of-living adjustment (COLA) estimate for 2022 and stated the COLA amount "be reviewed and an additional adjustment made on July 1, 2022, if appropriate". The District's consultant, KMA Human Resources Consulting, has indicated national and Maine wage increases are ranging between 5% and 7% for 2022. Staff recommends an additional 3% adjustment to all non-union positions effective July 1, 2022. These are increases to individual salaries, not increases to the maximum of the salary grades. The July 1<sup>st</sup> 3% increase combined with the 3% included with the January 1, 2022 adjustment results in a total 2022 increase of 6%.

### **FISCAL REVIEW/FUNDING**

Adjustments to salaries of PWD's non-union employees is estimated to have an operating fund impact of \$82,000.

### **LEGAL REVIEW**

Corporate Counsel has reviewed the proposed order as to form.

**CONCLUSION(S)**

The General Manager recommends that all non-union salary compensation be adjusted upward by 3% effective July 1, 2022.

**ATTACHMENT(S)**

None



Portland Water District  
*From Sebago Lake To Casco Bay*

## **ADMINISTRATION AND FINANCE COMMITTEE / AGENDA ITEM SUMMARY**

Agenda Item: 3  
Date of Meeting: September 12, 2022  
Subject: Water Rates Adjustment  
Presented By: David Kane, Executive Director of Administration

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### **RECOMMENDATION**

The following proposed language is presented for Board of Trustee approval:

ORDERED, pursuant to Board of Trustees Policy, the Treasurer shall prepare the supporting documents for a water rate increase of approximately 5.6% with new rates to be effective January 1, 2023; and

ORDERED, the District will allocate 1% of the proposed increase to the capital reserve fund to finance the installation of water mains included in the System Infrastructure Assessment report.

### **BACKGROUND ANALYSIS**

At the June 6<sup>th</sup> Board Workshop, Staff proposed several 2023 budget parameters including the need to increase water rates by an average of 6%. Due primarily to lower than expected health and pension costs, the water rate adjustment has been reduced to 5.6%

Staff will prepare the supporting documentation and arrange to hold a public hearing in November and send customer notices about the public hearing to all customers. Significant items to be considered are listed below.

### **Revenue Requirement – How much do we need to operate?**

The proposed 2023 net expenditure operating budget is \$29.0 million. Consistent with the Board policy of annual rate adjustments, the Committee proposes an increase of 5.6% in 2020.

### **Reserves – How much do we want to include for operating fund reserves?**

The proposed 2023 water budget assumes a 5.6% rate adjustment would generate \$29.0.

	<u>12/31/2022</u>	<u>12/31/2023</u>	<u>Target</u>
Operating	\$6.8M	\$ 6.8M	\$ 6.6M
Watershed Land Protection	\$1.9M	\$ 1.5M	\$ 3.8M
Capital Reserve	\$0.6	\$ 0.0M	None



**Water Consumption – How much do we assume customers will use?**

The budget assumed consumption of 8.4 million hundred cubic feet (HCF). Actual consumption for the years between 2014 and 2021 ranged from 8.2 million HCF to 8.8 million HCF with 2019 having 8.4 million HCF. Staff recommends using the consumption at the lower end of the recent actual consumption range (i.e. 8.4 million HCF).

**Rate Design – How should the rate adjustment be allocated?**

The last cost of service study indicated that industrial/commercial customers generate less revenue than the costs to serve them. The Board requested that the gap be closed over future rate adjustments by increasing rates at higher increments for industrial/commercial customers. The proposed rate schedule will continue to have larger commercial customers' rates increase 150% of the small residential customers' rates increase.

**Regulatory Process – What regulatory process will be used?**

The water rate adjustment no longer needs Maine Public Utilities Commission approval in addition to the Board of Trustees approval. Per Board policy, information will be available for public review in October and a public hearing on the proposed rate adjustment will be held in November.

The proposed schedule to implement the rate adjustment is as follows:

September 12, 2022	Administration and Finance Committee reviews and makes final recommendation to be sent to customers. Finance staff will provide up-to-date financial information and revenue projections.
September 19, 2022	Board considers approving Administration and Finance Committee's recommendation.
October 14, 2022	Supporting documentation for rate adjustment is available to the Public
October 28, 2022	Publish notice of rate adjustment and provide notice to all customers. Notice is mailed to all customers and includes an invitation to attend the public hearing.
November 14, 2022	Special public hearing on proposed rate adjustment. General Manager and Treasurer provide information supporting the rate adjustment. Public has an opportunity to ask questions and provide feedback to the Board as they consider the proposed rate schedule.
November 28, 2022	Board business meeting – Approve final rate schedule. The final rate schedule incorporates changes based on the public hearing and Board's feedback.
December 28, 2022	File final rate schedule based on public hearing and Board review. Rate schedule is distributed to Maine Public Utilities Commission for informational purposes only.
January 1, 2023	Rate adjustment effective date.

### **Water Rate Adjustment Impact**

The customer impact of the proposed 5.6% increase is below:

<b>(By Dollar)</b>		<b>3/1/2022</b>	<b>1/1/2023</b>
<i>Residential</i>	<i>.62" meter, 7 HCF</i>	✓ \$ 25.91	\$ 27.19
<i>Commercial</i>	<i>.62" meter, 40 HCF</i>	✓ \$ 124.08	\$ 130.93
<i>Small Industrial</i>	<i>2" meter, 1,300 HCF</i>	✓ \$ 2,032.14	\$ 2,174.81
<i>Large Industrial</i>	<i>8" meter, 56,000 HCF</i>	✓ \$ 65,786.45	\$ 70,327.11
<i>Government</i>	<i>2" meter, 70 HCF</i>	✓ \$ 209.94	\$ 223.51
<i>Sprinkler</i>	<i>6" meter (month)</i>	✓ \$ 39.92	\$ 41.92
<i>Public Fire (per year)</i>		✓ \$ 1,566,432	\$ 1,644,768
<b>(By Percent)</b>			
<i>Residential</i>	<i>.62" meter, 7 HCF</i>	3.2%	4.9%
<i>Commercial</i>	<i>.62" meter, 40 HCF</i>	3.8%	5.5%
<i>Small Industrial</i>	<i>2" meter, 1,300 HCF</i>	4.7%	7.0%
<i>Large Industrial</i>	<i>8" meter, 56,000 HCF</i>	4.5%	6.9%
<i>Government</i>	<i>2" meter, 70 HCF</i>	4.3%	6.5%
<i>Sprinkler</i>	<i>6" meter (month)</i>	3.6%	5.0%
<i>Public Fire (per year)</i>		3.6%	5.0%

### **LEGAL REVIEW**

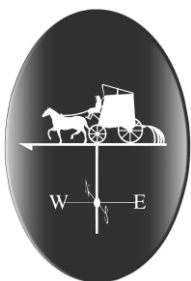
Corporate Counsel reviewed the proposed motion and approved it as to form.

### **CONCLUSION(S)**

Staff recommends forwarding the motion supporting a 5.6% rate adjustment.

### **ATTACHMENT(S)**

None



## MEMORANDUM PORTLAND WATER DISTRICT

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TO: Operations Committee / Board of Trustees

FROM: Scott Firmin, Director of Wastewater Services  
James Wallace, Director of Water Services

DATE: September 1, 2022

RE: **Operations Committee Meeting – September 12, 2022**

A meeting of the Operations Committee of the Portland Water District Board of Trustees will be held on Monday, September 12, 2022 beginning at 5:30 p.m., in the Douglass Street EOC of the District, 225 Douglass Street, Portland, Maine.

### **AGENDA**

1. **Recommendation to Amend Engineering Contract with Hazen and Sawyer Engineering Consultants for the Windham Center Tank Replacement Project**  
Staff will recommend amending the engineering contract with Hazen for needed additional engineering for the Windham Center tank Replacement Project. (See attached memo)
2. **Septage Receiving Discussion**  
Staff will provide an outline to discuss the septage policy, including suggestions on the rate structure, for possible Committee consensus on the need for any updates or changes.
3. **Other Business**



## **OPERATIONS COMMITTEE / AGENDA ITEM SUMMARY**

Agenda Item: 1  
Date of Meeting: September 12, 2022  
Subject: Windham Center Water Storage Tank Replacement–  
Amendment to Professional Services Contract  
Presented By: Christopher Crovo, Director of Asset Management  
Gordon Johnson, Engineering Services Manager

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### **RECOMMENDATION**

The following proposed language is presented for Board of Trustee approval:

WHEREAS, the Board authorized the comprehensive method of procurement of engineering services for the Windham Center Water Storage Tank Replacement Project in April of 2018 (Project); and

WHEREAS, the Board authorized a Professional Engineering Service contract with Hazen in August of 2020 for the Project,

ORDERED, the General Manager is authorized to execute a professional services contract amendment with Hazen in the amount of \$80,517 for additional design phase engineering services for the Windham Center Water Storage Tank Replacement (CIP 2018-307/2658); 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.

### **BACKGROUND ANALYSIS**

The existing elevated water storage tank in Windham was constructed and placed in operation in 1957. The tank was targeted for replacement in the 2003 Comprehensive Water System Strategic Plan (CWSSP). The most recent maintenance was completed in 2019 when two leaks were repaired on the riser. The tank is beyond its useful life and due for replacement.

The District selected Hazen and Sawyer in August of 2020 to provide an engineering design that included a preliminary hydraulic and cost assessment of two options. Option 1 is replacing the existing tank with a larger volume elevated tank on a parcel adjacent to the existing tank, but not currently owned by PWD. Option 2 is replacing the tank with a larger volume ground level storage tank at 101 Falmouth Road in Windham on land owned by PWD. The assessment considered hydraulics, recommended piping improvements, and life cycle costs for each option to establish a recommend approach to replacing the tank to meet the objectives of adequate volume, high quality drinking water, and infrastructure reliability and safety.

After Hazen's initial review of both sites - which included modeling - it was determined that the 101 Falmouth Road site was the site preferred by staff due to its elevation, which would allow for a ground level concrete tank. The current site would only allow for a 117 foot elevated steel tank to be built; staff along with Hazen determined that a ground level would provide the most benefit from a maintenance and life cycle cost. After further investigation of the site, it became apparent that a very long access road would have to be built in order to construct the tank at that site. At that time the District paused the engineering and looked for alternate sites to place a ground level tank. Two sites were chosen to evaluate. Staff pursued negotiations with the property owners to purchase the property. One owner ultimately was not interested in selling their property so the District pursued and negotiated a purchase sale agreement with the owner of 191 Falmouth Road. Additional Engineering is needed to continue to final design due to the evaluations of multiple sites and needed additional permitting that were not anticipated in the original proposal from Hazen. The Staff is recommending to amend the engineering contract as proposed.

### **FISCAL REVIEW/FUNDING**

The current CIP 2018 budget approved by the Board of Trustees for engineering design and land acquisition is \$400,000 (Project # : 2018-Subprogram 307/ Project 2658). The design and land acquisition qualified for the Maine Drinking Water State Revolving Loan Fund (DWSRF) and was awarded principle forgiveness of \$165,000 this past year. The current Engineering Services contract with Hazen is \$207,000. The current purchase and sale contract for the acquisition 191 Falmouth Road has committed \$80,000. The proposed \$80,517 amendment is within the budget approved by the Board

It is anticipated this effort will lead to a recommendation for construction of a new concrete storage tank being estimated at \$7.5M and the construction of the new tank will be submitted for consideration for the DWSRF project list for funding through MMBB .

2018 CIP Approved Budget - Design and Land Acquisition \$400,000

#### **Project Expenses to date**

Professional Engineering Service contract	\$207,000
Land Acquisition (P&S)	\$80,000
<b>Recommended Amendment to Professional Engineering Service Contract</b>	<b>\$80,517</b>
Total Spent to date	\$367,517

#### **Revenues**

Maine Drinking Water State Revolving Loan fund principal forgiveness (grant)	\$165,000
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### **LEGAL REVIEW**

Corporate Counsel has reviewed the proposed order as to form.

### **CONCLUSION(S)**

Staff recommends amending Hazen and Sawyer's Professional Engineering contract for design engineering services for the Windham Center Water Storage Tank Replacement.

### **ATTACHMENT(S)**

None





## MEMORANDUM PORTLAND WATER DISTRICT

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TO: Planning Committee / Board of Trustees

FROM: Christopher Crovo, P.E., Director of Asset Management and Planning

DATE: September 1, 2022

RE: **Planning Committee Meeting – September 12, 2022**

A meeting of the Planning Committee of the Portland Water District Board of Trustees will be held on Monday, September 12, 2022 at 5:30 p.m. at the Nixon Training Center, Portland Water District, 225 Douglass Street, Portland.

### **AGENDA**

1. **Request for Contribution to Mahoosuc Land Trust for James Bell Connector Conservation Project - Albany Township**  
Staff will recommend a contribution to support the James Bell Connector conservation project. (See attached memo)
2. **Request for Contribution to Mahoosuc Land Trust for the Flint Mountain-Sawin Hill Conservation Project - Albany Township**  
Staff will recommend a contribution to support the Flint Mountain-Sawin Hill conservation project. (See attached memo)
3. **Watershed Land Conservation Policy - Review and Discussion on Possible Revisions to the Policy**  
Staff will review and discuss with the Committee possible revisions to the policy.
4. **Other Business**



Portland Water District  
*From Sebago Lake To Casco Bay*

## **PLANNING COMMITTEE / AGENDA ITEM SUMMARY**

Agenda Item: 1  
Date of Meeting: September 12, 2022  
Subject: Request for Contribution of up to \$8,760 to Mahoosuc Land Trust to Support the James Bell Connector Conservation Project  
Presented By: Carina Brown, Water Resources Specialist

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### **RECOMMENDATION**

The following proposed language is presented for Board of Trustee approval:

ORDERED, that the General Manager is authorized to contribute up to \$8,760 to Mahoosuc Land Trust to support the conservation of land known as the James Bell Connector located in Albany Township.

### **BACKGROUND**

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 District's Watershed Land Conservation Policy states the District's commitment to and support for locally initiated land conservation efforts.

The James Bell Connector property is 82 acres and located in Albany Township. Mahoosuc Land Trust plans to purchase the James Bell Connector property for the purpose of conservation. The property is primarily forested and drains to a branch of a tributary to the Crooked River. The property is part of Mahoosuc Land Trust's strategic conservation plan, Crooked River Focus Area, which aims to connect the 12,268-acre Crooked River Headwaters conservation easement and the White Mountain National Forest through conservation easements and fee interests.

### **ANALYSIS**

The recommended contribution was determined using the District's site-specific assessment and is less than the \$10,220 requested by the applicant. The District's conservation value for the parcel is calculated to be \$96,000, and the appraised value of the property is \$73,000. The recommended contribution represents about \$107 per acre of protected land within the watershed. The District's contribution is to be used towards the purchase of the land. The entire property is within the watershed of Sebago Lake.

Mahoosuc Land Trust will purchase the land in fee, grant a conservation easement to the Northeast Wilderness Trust, and grant a right of enforcement of the conservation easement to the District.

**FISCAL REVIEW / FUNDING**

The recommended contribution of \$8,760 was calculated using the District's site-specific assessment. The contribution will be drawn from the District's Watershed Protection Fund.

**LEGAL REVIEW**

Corporate Counsel has reviewed the proposed Motion and has approved as to form.

**CONCLUSION(S)**

This project will contribute to the long term protection of Sebago Lake and the recommended contribution meets the guidelines of the District's Watershed Land Conservation Policy.

**ATTACHMENT(S)**

James Bell Connector Report





# PORTLAND WATER DISTRICT

## *Land Conservation Program*

### *Site-Specific Assessment*



## **James Bell Connector Property**

### **Albany Township, Maine**

*Report prepared by PWD's Environmental Services Department*  
*August 23, 2022*



# James Bell Connector Property Site Walk

## Site Visit

Brie Holme and Carina Brown, 7/18/2022

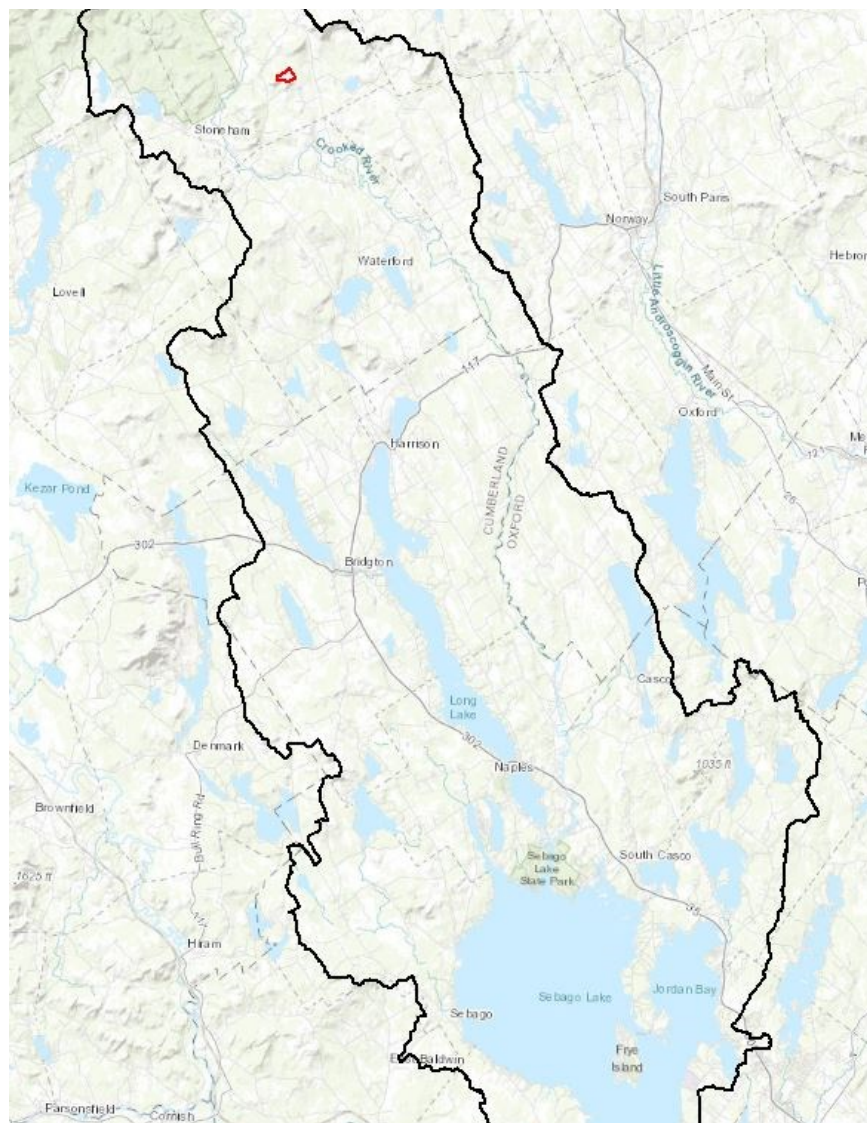
## Description

The James Bell Connector project is comprised of 82 acres in the Crooked River watershed located in Albany Township. Mahoosuc Land Trust (MLT) will purchase the property and prioritize biological diversity over any other uses. The James Bell tract abuts MLT's existing Flint Farm conservation easement to the north, and the Flint Mountain parcel to be acquired in a separate transaction to the south, creating an over 400-acre contiguous conservation area. This is part of MLT's strategic conservation plan, the Crooked River Focus Area, which aims to connect the White Mountain National Forest and Crooked River Headwaters through conservation easements and fee interests.

## Site Features

### Location

The property is located in Albany Township.



James Bell Connector Property Location map



## James Bell Connector Property Site Walk

### *Water Resources*

A branch of Flint Brook, which drains to the Crooked River, is on the James Bell Connector property. Flint Brook is recognized by Maine Beginning with Habitat as wild brook trout habitat and by the Sebago Clean Waters Mapper as a wild brook trout priority area.



Branch of Flint Brook

### *Connection to Sebago Lake*

The James Bell Connector parcel is located in the Crooked River watershed and is connected to the Crooked River by a tributary stream. The Crooked River is the largest tributary to Sebago Lake, supplying approximately 40% of surface water inflow to the lake. The river has excellent water quality.



## James Bell Connector Property Site Walk

### *Land Use/Land Cover*

The land on this parcel is completely forested. The area that was once partially cut has re-forested.

This property will have permanent “forever wild” status through either a conservation easement or a declaration of trust. Timber harvesting will not be allowed. James Bell Connector contains a mix of mature and young stands. These unmanaged forests will capture and store carbon. Other than vestiges of woods roads and stone walls, there are no manmade features or structures. Management actions, if any, will be primarily limited to ecological restoration of native species, preservation of natural communities and rare species at risk, and maintenance of non-motorized trails. The adjacent Flint Mountain tract, to be acquired in a separate transaction, has a lightly-used hiking trail to the summit with striking views of the White Mountains which can be extended to the James Bell tract. These two parcels encompass the “twin” summits of Flint Mountain. A small parking area will be developed in the future if needed, in addition to roadside parking. Hunting of non-predator species will likely be allowed.



Near one of the twin summits of Flint Mountain



Reforested area of partial cut

## Site-Specific Property Assessment

**Property Name:** James Bell Connector

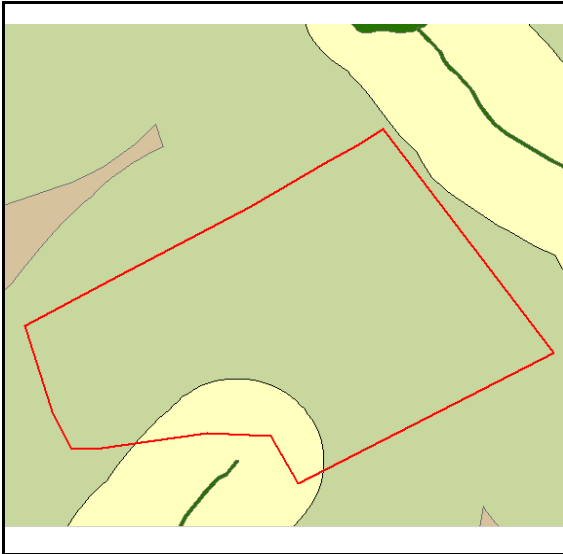
**Area (acres):** 82

**Location:** Albany Township

**Land Trust:** MLT

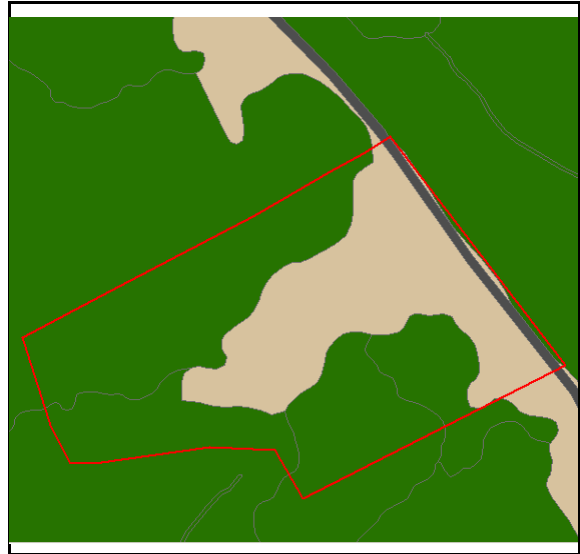
**Description:** Forested parcel located in Albany Township

**Location map**



	acres	percent
Prioritization Zone 1	7	9
Prioritization Zone 2	75	91
Prioritization Zone 3	0	0

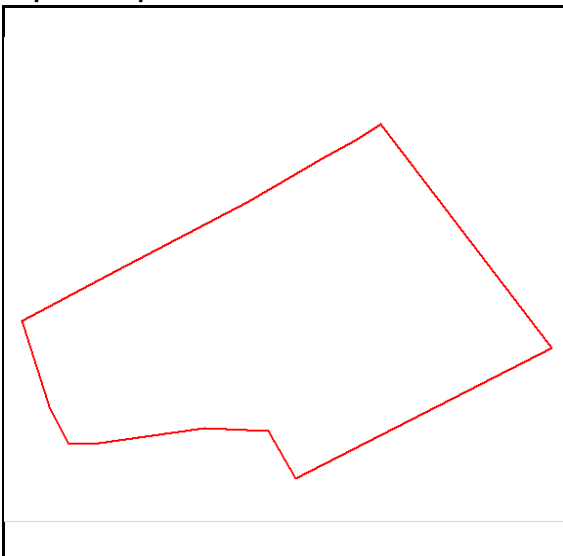
**Land cover map**



<b>Forest cover</b>	80	acres
	98	percent

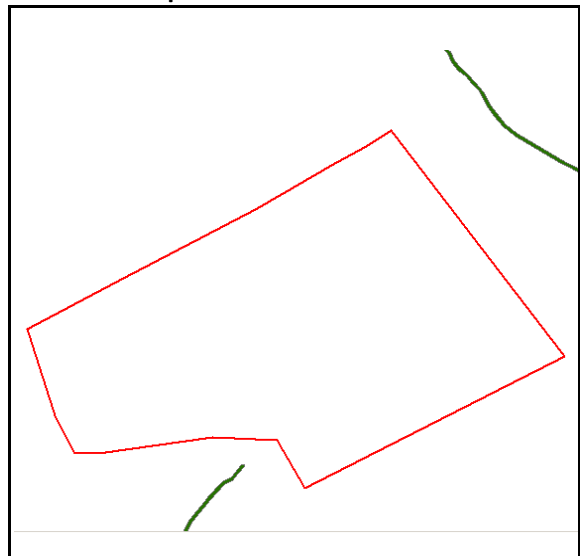
Reforestation of the partial cut (light brown) areas have been verified by aerial imagery and a site walk.

**Aquifer map**



<b>Sig. sand and gravel</b>	0	acres
<b>aquifers</b>	0	percent

**Wetlands map**



<b>Mapped wetlands</b>	0	acres
	0	percent

## Site-Specific Property Assessment

**Property Name:** James Bell Connector

**Est. Value of Property**

\$73,000

PWD Value: \$96,000

Appraisal: \$73,000

**Watershed Zone**

2

Highest priority zone encompassing at least 25%

**Low Percentage of Contribution Range**

10 %

Zone I = 15-25%

Zone II = 10-20%

Zone III = 5-15%

**Factors**

Located in 7 shoreland towns?

No

add 0 %

More than 50% forested

Yes

add 2 %

More than 10% aquifer?

No

add 0 %

More than 20% wetlands?

No

add 0 %

Other (explain)

add %

**Calculated contribution (percent)**

12 %

**Calculated contribution (dollars)**

\$8,760

**Recommended contribution (dollars)**

\$8,760



## **PLANNING COMMITTEE / AGENDA ITEM SUMMARY**

Agenda Item: 2  
Date of Meeting: September 12, 2022  
Subject: Request for Contribution of up to \$52,632 to Mahoosuc Land Trust to Support the Flint Mountain-Sawin Hill Conservation Project  
Presented By: Carina Brown, Water Resources Specialist

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### **RECOMMENDATION**

The following proposed language is presented for Board of Trustee approval:

ORDERED, that the General Manager is authorized to contribute up to \$52,632 to Mahoosuc Land Trust to support the conservation of land known as Flint Mountain – Sawin Hill located in Albany Township.

### **BACKGROUND**

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 District's Watershed Land Conservation Policy states the District's commitment to and support for locally initiated land conservation efforts.

The Flint Mountain -Sawin Hill property is 349 acres and located in Albany Township. Mahoosuc Land Trust plans to purchase the Flint Mountain-Sawin Hill property for the purpose of conservation. The property is primarily forested and drains to branches of a tributary to the Crooked River. The property is part of Mahoosuc Land Trust's strategic conservation plan, Crooked River Focus Area, which aims to connect the 12,268-acre Crooked River Headwaters conservation easement and the White Mountain National Forest through conservation easements and fee interests.

### **ANALYSIS**

The recommended contribution was determined using the District's site-specific assessment and is less than the \$52,800 requested by the applicant. The District's conservation value for the parcel is calculated to be \$438,600, and the appraised value of the property is \$585,000. The recommended contribution represents about \$151 per acre of protected land within the watershed. The District's contribution is to be used towards the purchase of the land. The entire property is within the watershed of Sebago Lake.

According to the Watershed Land Conservation policy, the details of this project require that the District obtain a real-estate interest. Mahoosuc Land Trust will purchase the land in fee, grant a conservation easement to the Northeast Wilderness Trust, and grant a right of enforcement to the District.

**FISCAL REVIEW / FUNDING**

The recommended contribution of \$52,632 was calculated using the District's site-specific assessment. The contribution will be drawn from the District's Watershed Protection Fund.

**LEGAL REVIEW**

Corporate Counsel has reviewed the proposed Motion and has approved as to form.

**CONCLUSION(S)**

This project will contribute to the long term protection of Sebago Lake and the recommended contribution meets the guidelines of the District's Watershed Land Conservation Policy.

**ATTACHMENT(S)**

Flint Mountain – Sawin Hill Report





# PORTLAND WATER DISTRICT

## *Land Conservation Program*

### *Site-Specific Assessment*



## **Flint Mountain—Sawin Hill Property**

### **Albany Township, Maine**

*Report prepared by PWD's Environmental Services Department*  
*August 3, 2022*



# Flint Mountain-Sawin Hill Property Site Walk

## Site Visit

Brie Holme and Carina Brown, 7/18/2022

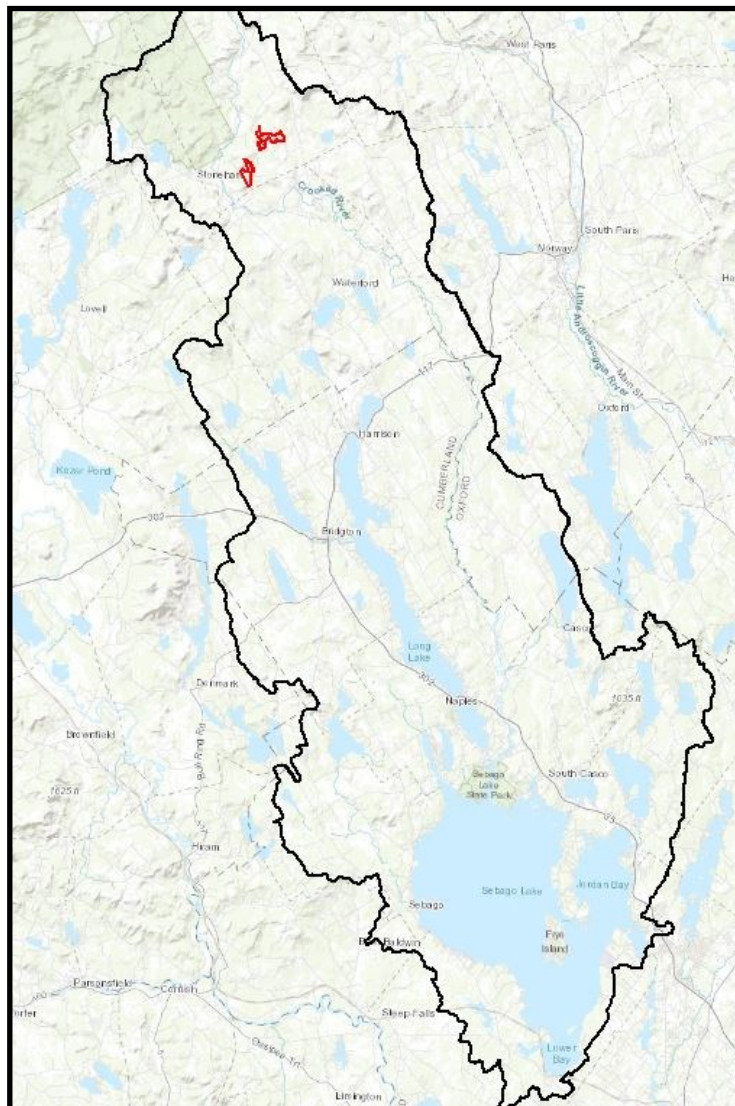
## Description

The Flint Mountain-Sawin Hill project is comprised of 349 acres in the Crooked River watershed. The two non-adjacent parcels are located in Albany Township. Mahoosuc Land Trust (MLT) will purchase the properties and prioritize biological diversity over any other uses. Located within the land trust's strategic conservation plan - Crooked River Focus Area, these parcels lie in close proximity (1100 meters) to MLT's 12,268-acre Crooked River Headwaters conservation easement and (1500 meters) to the White Mountain National Forest. MLT seeks to acquire conservation easements and fee interests abutting this project to conserve contiguous tracts connecting Flint Mountain and Sawin Hill to the White Mountain National Forest and Crooked River Headwaters.

## Site Features

### *Location*

The properties are located in Albany Township.



Flint Mountain—Sawin Hill Property Location map



## Flint Mountain—Sawin Hill Property Site Walk

### *Water Resources*

A branch of Flint Brook drains the land between the two peaks of Flint Mountain into the Crooked River. Flint Brook is recognized by Maine Beginning with Habitat as wild brook trout habitat and by the Sebago Clean Waters Mapper as a wild brook trout priority area. An unnamed stream connects Sawin Hill to the Crooked River.



Flint Mountain—a branch of Flint Brook

### *Connection to Sebago Lake*

The Flint Mountain and Sawin Hill parcels are located in the Crooked River watershed and are each connected to the Crooked River by a tributary stream. The Crooked River is the largest tributary to Sebago Lake, supplying approximately 40% of surface water inflow to the lake. The river has excellent water quality.



## Flint Mountain—Sawin Hill Property Site Walk

### *Land Use/Land Cover*

The land on both parcels is completely forested. All areas that were once partially cut have re-forested. A small portion of the Flint Mountain parcel that was once a potato field has also re-forested.

Both tracts will have permanent “forever wild” status through either a conservation easement or a declaration of trust. Timber harvesting will not be allowed. Flint Mountain contains large hardwood stands containing abundant red oak approximately 100 years in age and other “pasture oaks” possibly dating back well into the 1800’s. There has been little or no harvesting in the last 40 years. Sawin Hill contains a mix of mature and young stands. Management actions, if any, will be primarily limited to ecological restoration of native species, preservation of natural communities and rare species at risk, and maintenance of non-motorized trails. Flint Mountain has a lightly-used hiking trail to the summit. The goal for additional trail creation is to ensure public access to the high points of the Sawin Hill without creating overly intensive trail networks. A small parking area (perhaps one for each parcel) will be developed in the future if needed, in addition to roadside parking. Hunting of non-predator species will likely be allowed.



Flint Mountain—former potato field now reforested



Flint Mountain - old partial cut



Sawin Hill

## Site-Specific Property Assessment

**Property Name:** Flint Mountain - Sawin Hill

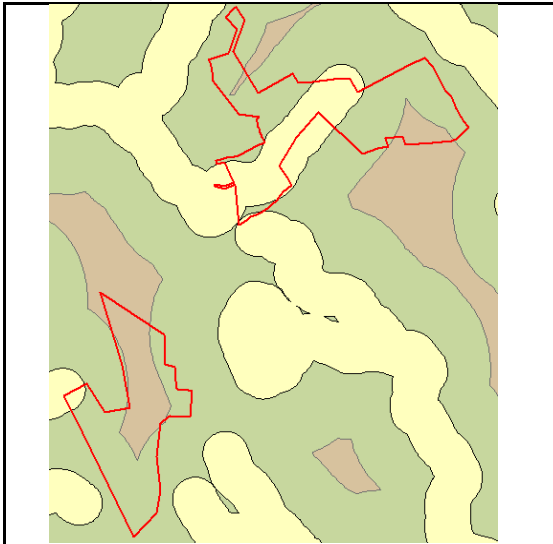
**Area (acres):** 349

**Location:** Albany Township

**Land Trust:** MLT

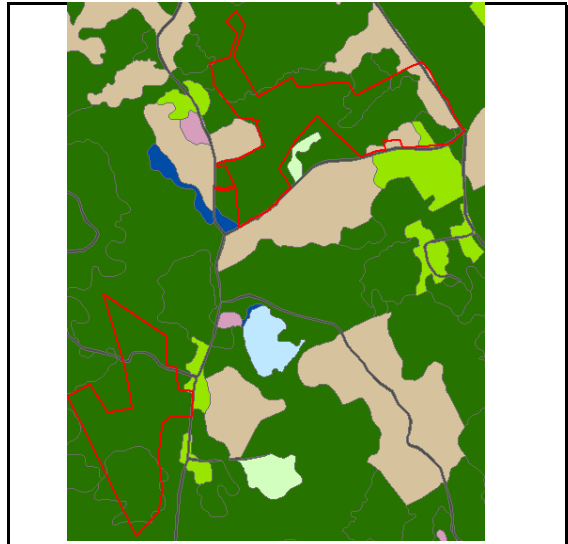
**Description:** Forested parcels located in Albany Township

**Location map**



	acres	percent
<b>Prioritization Zone 1</b>	70	20
<b>Prioritization Zone 2</b>	207	59
<b>Prioritization Zone 3</b>	72	21

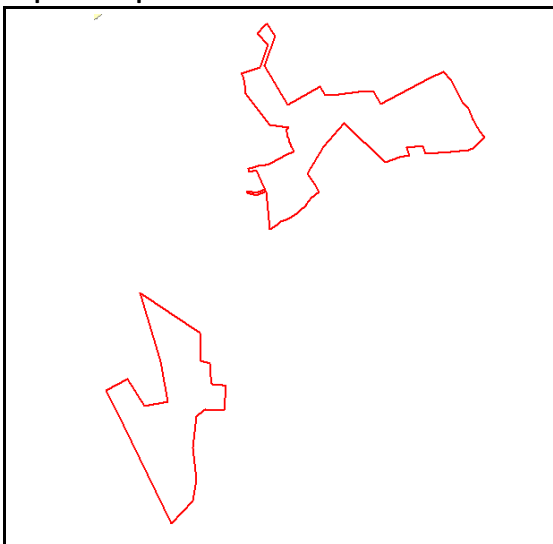
**Land cover map**



<b>Forest cover</b>	347	acres
	99	percent

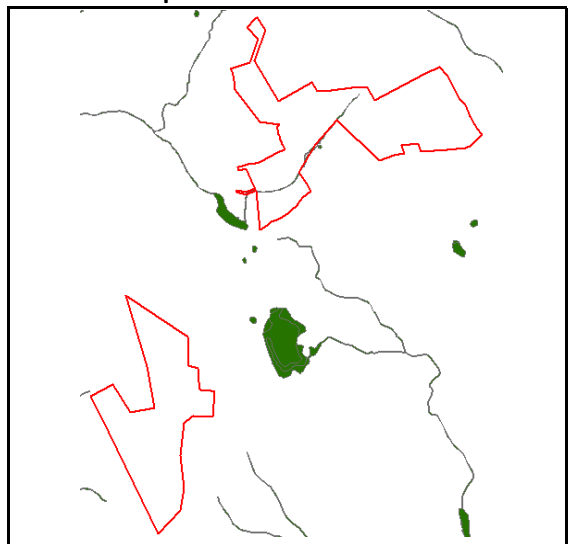
Reforestation of the partial cut (light brown) and agricultural (lime green) areas have been verified by aerial imagery and a site walk.

**Aquifer map**



<b>Sig. sand and gravel aquifers</b>	0	acres
	0	percent

**Wetlands map**



<b>Mapped wetlands</b>	2	acres
	1	percent

## Site-Specific Property Assessment

**Property Name:** Flint Mountain - Sawin Hill

### Est. Value of Property

\$438,600

PWD Value: \$438,600

Appraisal: \$585,000

### Watershed Zone

2

Highest priority zone encompassing at least 25%

### Low Percentage of Contribution Range

10 %

Zone I = 15-25%

Zone II = 10-20%

Zone III = 5-15%

### Factors

Located in 7 shoreland towns?

No

add 0 %

More than 50% forested

Yes

add 2 %

More than 10% aquifer?

No

add 0 %

More than 20% wetlands?

No

add 0 %

Other (explain)

add %

**Calculated contribution (percent)**

12 %

**Calculated contribution (dollars)**

\$52,632

**Recommended contribution (dollars)**

\$52,632