

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 Monday, March 9, 2026. In attendance from staff were D. Kane, S. Firmin, G. Pellerin, C. Poulin, J. Wallace, E. Archibald, M. Clements, and D. Katsiaficas.

President Lunt and Trustees Douglas, Hewes, and Shattuck-Heidorn were absent.

Vice President McCann convened the workshop meeting at 6:43 p.m.

1. Corporation Counsel Discussion

Manny Archibald, Director of Human Resources and Donna Katsiaficas, Corporation Counsel, provided an update on the process to recruit a new Corporation Counsel. Manny explained that the position had been widely advertised across nearly 100 job boards, bar associations, and legal recruitment sites. Applications are screened first for minimum qualifications and then reviewed by Donna for professional suitability before moving to interviews. Initial interviews would be conducted by staff to assess qualifications and organizational fit, followed by a second round involving selected Board members and leadership, with finalists presented to the full Board. Manny reported that seven applications had been received to date, but none met the required qualifications. Donna noted that the difficulty in attracting qualified municipal attorneys reflects broader market conditions, including limited public-sector legal training and significantly higher compensation in the private sector. Board members asked questions regarding the hiring process, communication with trustees, the job description, salary range, and timeline. Given the limited applicant pool, staff recommended exploring the use of a legal recruitment search firm. Manny noted that firms specializing in legal placements may be best positioned to assist, and highlighted that New England Legal Search has more than 40 years of experience in the field.

Donna also discussed plans to ensure continuity of legal services during the transition period. She reported that her last full day in the office would be March 27, but that she is willing to continue working one to two days per week through the end of May to handle routine matters such as agenda items, Dig Safe violations, and routine easements and real estate issues. To address larger legal projects expected in the coming months, Donna reached out to municipal law firms for interim support. Proposals were received from Perkins Thompson and Bernstein Shur. Perkins Thompson, through attorney Brandon Mazer, proposed a rate of \$275 per hour for municipal legal work, while Bernstein Shur's rates ranged from approximately \$305 to \$335 per hour for municipal attorneys, with higher rates for other specialists. Donna recommended engaging Brandon Mazer at Perkins Thompson for most interim legal work due to cost, responsiveness, and relevant municipal experience, while using Bernstein Shur as conflict counsel if needed. Board members discussed the proposal and generally expressed support for this approach. The consensus was to proceed with Perkins Thompson for interim services while continuing the search for a permanent Corporation Counsel, and to utilize Bernstein Shur if conflicts arise. The Board also emphasized the importance of obtaining references and recent placement information from any recruitment firms under consideration and improving communication and feedback with trustees as the process continues.

Donna also provided an update regarding outside counsel related to a potential claim previously discussed in executive session. She reported that no further communication had been received from the insurance company or the company involved in the matter. Donna, along with Scott, Jim Wallace, and Ryan Bourque, met with litigation attorney John Wall of Monaghan Leahy, who has been retained to assist with the matter. Attorney Wall has agreed to represent the District at a municipal rate comparable to that proposed by Perkins Thompson. Donna indicated that he will prepare and send a demand letter initiating the claim process, and she expects the matter will likely proceed to settlement discussions rather than litigation. If litigation ultimately becomes necessary, the matter would be brought back to the Board for authorization. Donna noted that Attorney Wall's prior familiarity with the District's operations made him a practical choice for handling the claim and stated that the Board will be kept informed as the matter progresses.

2. General Manager's Comments

Scott Firmin, General Manager, provided several updates to the Board. First, he reported on the status of the labor contract negotiations. The proposed agreement had been voted down by the bargaining unit by a vote of 4 in favor and 64 opposed. In response, the union's business agent has arranged a meeting with the District's legal counsel, Peter Bennett, along with Manny Archibald and Jim Wallace. The District expects to receive a written counterproposal in advance of that meeting. The General Manager noted that President Lunt had expressed concern about the length of time the negotiations have taken and the number of revisions exchanged, and that this concern has been communicated to legal counsel. If the forthcoming counterproposal is within a reasonable range, the District will continue negotiations in good faith; however, if the proposal represents a significant departure from the prior draft agreement, the matter may return to the Board for further discussion in executive session.

The General Manager also provided administrative updates, including a reminder about the District's employee clothing program and the process for ordering.

In addition, he reported that the Maine Water Environment Association, with contributions from District staff, recently prepared and distributed a document to the Maine Department of Environmental Protection and state legislators outlining the need for a long-term biosolids management strategy in Maine. The document highlights ongoing challenges and advocates establishing a stakeholder group to advance statewide solutions.

Looking ahead, the General Manager noted that the April workshop will include a detailed presentation on the District's proposed biosolids management project, including timelines and a funding request of approximately \$1.5 million. Natalie Sierra of Brown and Caldwell, the project lead, will attend the meeting to present technical details. The General Manager indicated that he will participate remotely as he will be attending a meeting of the Association of Metropolitan Water Agencies in Washington, D.C., which provides an opportunity to connect with leaders from the nation's largest water utilities.

Finally, the General Manager provided an update on regional biosolids developments, including a proposed facility in Sanford that would process approximately 400 tons per day using drying and gasification technology. He noted that the project has raised community concerns about technology, operations, and emissions. The District continues to monitor developments and maintain communication with local officials. Staff is also exploring other facilities and technologies, including a potential visit to a biosolids drying installation at a Waste Management landfill in New York, as part of the District's broader effort to evaluate long-term biosolids management options.

3. Other Business

None.

4. Adjourn

The meeting was adjourned at 7:45 p.m.

Submitted by,

Donna M. Katsiaficas

Donna Katsiaficas
Clerk