

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, and via Zoom, on Monday, April 22, 2024. Attending from staff were S. Garrison, C. Crovo, D. Kane, S. Firmin, J. Wallace, J. Hudak, D. Katsiaficas, M. Demers, and C. Cote. Attending from the public were Abigail and Heather Ouellette of Gorham, and Attorney Peter Bennett of Cumberland.

The meeting was convened by President Lunt at 6:02 p.m. with the Pledge of Allegiance and a moment of silence.

**ROLL CALL**

The roll was called by the Clerk. Trustees Cote and Shattuck-Heidorn were absent.

**ACCEPTANCE OF MINUTES**

Trustee Willett made a motion to accept the minutes of the Regular Meeting of March 25, 2024, seconded by Trustee Levinsky. It was voted all in favor.

Trustee Willett made a motion to accept the minutes of the Workshop Meeting of April 8, 2024, seconded by Trustee Siviski. It was voted all in favor.

**INVITATION FOR PUBLIC COMMENT**

None

***Item 6A was taken out of order***

**Resolution 24-004** awarding the DiPietro Scholarship for 2024.

The Joseph A. DiPietro Memorial Scholarship was established in 2003 in memory of respected businessman and longtime Portland Water District Trustee, Joe DiPietro. It serves students in the Portland Water District's service area who are striving towards the same mission as PWD – protecting public health and the environment.

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

It was Voted and unanimously,

WHEREAS the Board of Trustees has established the Joseph A. DiPietro Scholarship in memory of Mr. DiPietro's fifteen years of dedicated service representing the city of Portland as a Trustee of the District, and

WHEREAS Abigail Ouellette, a resident of Gorham, is pursuing a degree in Environmental Science at the University of Southern Maine, and

WHEREAS Ms. Ouellette has demonstrated need for the scholarship, and

WHEREAS the Board of Trustees' Scholarship Committee unanimously recommends Ms. Ouellette to be a recipient of the 2024 Joseph A. DiPietro Scholarship,

NOW THEREFORE BE IT RESOLVED that the Board of Trustees recognizes the accomplishments and needs of Ms. Ouellette and supports her academic endeavors by awarding her the \$1,500 scholarship for 2024 established in tribute to Joseph A. DiPietro.

## **REPORTS**

### **Operations Committee**

Trustee Siviski provided a summary of the Operations Committee meeting on April 8, 2024.

Staff provided an update on recently approved General Engineering Services contracts. Contracts have been completed with nine firms. Future work will use this process when applicable. One of the first will be electrical system and generator work at the Portland Northeast and India St. pump stations.

Trustee Charles Shattuck-Heidorn was unanimously elected Chair.

Staff discussed the ongoing work in Primary Basin #3 at the East End Wastewater Treatment Facility and the need to replace the sludge collector screws.

Staff provided a recommendation to approve design-build construction contracts GMP2 (Guaranteed Maximum Price) and GMP3 for the construction of the new treatment plant and piece of the collection system in North Windham.

Staff presented a summary of the Sebago Lake Water Treatment Facility Roof Replacement Project and shared a detailed report highlighting many of the issues that will be addressed through this work.

### **Planning Committee**

Trustee Crockett provided a summary of the Planning Committee meeting on April 8, 2024.

Leroy Crockett was elected Planning Committee Chair.

The Standish Director of Parks and Recreation, Matt Duplisea, and Paul Hunt reviewed the 2023 report. Paul explained that the report is a requirement of the Standish Beach Lease Agreement and is prepared by the town's Parks and Recreation Director along with the PWD Water Resource staff. He said the beach activity has grown each year but the water quality has stayed stable throughout the years noting that there was no beach closure last year due to a swimming beach test exceedance. He noted that the town has done a very good job managing the beach.

Staff recommended executing a contract with Gorrill Palmer for engineering services to modify the existing ditch adjacent to Northeast Road Extension and modify the drainageway on District-owned land.

Staff reported that the 2024 plan includes completing the Eel Cove tree harvest which was supposed to be completed last year but due to the wet weather and mild winter, it was not possible to complete. Also, on the plan this year is the treatment of invasive plants as identified in the 2022 Forest Management Plan along with inspecting areas that were previously treated. The forester will also be doing boundary line maintenance by repainting and blazing a 1.5-mile boundary.

### **Administration and Finance Committee**

Trustee Willett provided a summary of the Administration and Finance Committee meeting on April 8, 2024.

The Committee unanimously elected Guy Cote as chair.

Mr. Kane summarized the 2023 financial results of the wastewater funds. He noted the Cumberland and Westbrook funds had losses for the year and adequate reserves existed to cover the loss. The Cape Elizabeth, Gorham, and Portland funds had a gain that are added to their operating contingency fund. The contingency fund balances for those funds are less than the Board established target of 25% of the fund's budget. The Windham fund had an annual gain which was

recommended to be put into the contingency fund balance up to the 25% budget target with the excess transferred to the Windham Renewal and Replacement fund for future capital projects.

Mr. Kane presented a motion amending the bond motion approved at the January 22, 2024 Board meeting by increasing the authorized bond amount by \$300,000. The increase is needed to cover the higher cost to repair the Sebago Lake Treatment Plant roof.

In 2014, the Board approved the creation of a capital reserve fund that funded the projects identified in the System Infrastructure Assessment (SIA). Since that time PWD has spent \$20 million to replace over 35 miles of pipe. Staff updated the SIA with the remaining mains to be replaced with current estimated higher prices per foot. The estimated replacement cost is \$636 million compared to the 2014 estimate of \$255 million.

Next month staff will present a recommendation to purchase an Advanced Metering Infrastructure (AMI) meter reading system. The system will collect meter readings remotely and enable improved customer service and operation. Additionally, it will be recommended to purchase non-mechanical meters. These meters will provide more accurate readings as they do not have mechanical parts that over time reduce the meter accuracy. The costs will be approximately \$29 million.

Staff continues to work on upgrading PWD's bond rating. Bond Counsel has prepared proposed language amending the law (35-A 6103) to eliminate the timing gap between a potential bond payment default and the collection of general taxation proceeds from member municipalities.

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

Mr. Garrison reported the following:

There have been several major weather events over the last six months, including the most recent one at the end of March that caused significant damage. The events took out power in several communities and at major PWD facilities. Over two dozen PWD pump stations and water storage sites were down during the March storm. PWD staff worked diligently and safely in order to keep customers in service. These events, which are becoming more frequent, stresses staff and systems, requiring significant amounts of overtime and resources to address. PWD is seeking funds from the Federal Emergency Management Agency (FEMA) to mitigate some of the impacts.

Staff at the EEWWTF, PWD's engineering team, and Penta, PWD's contractor, have been working aggressively to bring a rehabilitated secondary clarifier on line as soon as possible. Unfortunately, a second clarifier gave out over this past weekend before the rehabilitated clarifier could be put online. PWD now only has one functioning clarifier. A second clarifier, the recently rehabilitated one, should go online the end of this week or early next week. A second clarifier will begin the rehabilitation process shortly. The third will be rehabilitated by the end of the summer.

Delaying the Secondary Clarifiers rehabilitation project in 2018 has caused a number of cascading issues at the EEWWTF, resulting in additional costs and effluent violations. Despite efforts to accelerate the project after several clarifier mechanisms failed in 2022, the rebuilt clarifier was not ready in time for the most recent failure of Clarifier 2. The operations team scrambled to stabilize the situation over the long weekend during high flows and did an exceptional job keeping the EEWWTF functional.

On April 10, 2024, the U.S. EPA announced the final federal per- and polyfluorinated substances (PFAS) standards. The rule sets PFOA and PFOS Maximum Contaminant Levels at 4.0 parts per trillion, individually. Most recently, the PWD's Greater Portland water system was tested in March 2024, and no measurable amount of PFAS was found

### **NEW BUSINESS**

**Order 24-013**, authorizing actions related to Sebago Lake Water Treatment Facility (SLWTF) Roof Replacement Phase 1.

The SLWTF Roof Replacement Phase 1 was programmed and approved in the 2024 CIP for \$660,000 to replace the failing metal roof at the SLWTF. PWD used its roofing specialist Garland DBS to scope out what needed to be replaced and the costs associated with this. The cost of simply replacing the metal roof which was not installed correctly and has many fail points, was close to the budget cost, however, the need to remove the leaking skylight added to this cost. By removing the skylight, it was determined that a steel contractor and structural engineer would be needed to add support to the roof. The skylight also is connected to the storefront entryway of the facility which means that also needs to be replaced. The water intrusion has been extensive so we will need to replace damaged areas within the office as well.

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

It was Voted and unanimously,

ORDERED, the General Manager is authorized to execute a construction contract with Garland DBS in the amount of \$862,290 for the Sebago Lake Water Treatment Facility (SLWTF) Roof Replacement Phase 1 2024 CIP 122-3287; and

BE IT FURTHER ORDERED, that the project budget is amended by increasing it by \$300,000 and that the total budget for the project SLWTF Roof Replacement Phase 1 2024 CIP 122-3287 is hereby authorized not to exceed \$960,000; 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.

Public Hearing regarding the amendment of Resolution 24-002, to increase the authorized water bond amount by \$300,000.

President Lunt opened the public hearing. There was no one from the public in attendance. President Lunt closed the public hearing.

Resolution 24-005, authorizing an amendment to a bond to increase the authorized bond amount for the Sebago Lake Water Treatment Facility's Roof.

At the January 22, 2024 Board meeting, a motion was approved authorizing issuing up to \$15,710,000 of water bonds. Bids for the Sebago Lake Treatment Plant Roof were obtained and the cost is expected to be up to \$300,000 higher.

Project	CIP Reference	Total	Revised Total
Water Mains	43/121	\$ 6,000,000	\$ 6,000,000
Sebago Lake Treatment Plant Roof	122/3287	\$ 660,000	\$ 960,000
Windham Water Pump Station	122/3211	\$ 850,000	\$ 850,000
Lead Rule Compliance:			
Galvanized Water Lines	43/3296	\$ 7,200,000	\$ 7,200,000
GPS of Service Lines	61/3282	\$ 1,000,000	\$ 1,000,000
Bond Authorization		\$ 15,710,000	\$ 16,010,000

It was moved by Trustee Willett and seconded by Trustee McCann.

It was Voted and unanimously,

RESOLVED, Resolution 24-002, authorizing the issuance of water bonds to finance the installation and renewal of water mains, replacement of the Sebago Lake Water Treatment Facility's Roof, upgrade of the Windham Water Pump Station, and obtaining Service Lines' GPS data points and related infrastructure projects, is hereby amended to increase the authorized bond amount from

\$15,710,000 to \$16,010,000. The previously authorized bonds were also designated as Green Bonds pursuant to Order 24-003 adopted February 26, 2024. The amendment also designates the additional water bonds as Green Bonds. 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 24-014**, authorizing the allocation of a portion of the 2023 annual operating fund change in the Windham Fund.

The net results for each of the wastewater funds are listed below. Cape Elizabeth, Gorham, Portland, and Windham funds results were positive. Cumberland and Westbrook were negative primarily due to higher collection system and treatment plant costs, respectively. Both funds had adequate reserve balances to cover the shortfall.

As shown in the table below, all funds except Windham are below the Board established operating target balance of 25% of budget. Since Windham’s has an amount in excess of the target, it is recommended to transfer the excess to the Windham’s Renewal and Replacement Fund.

Operating Funds:

	1/1/2022 Balance	2023 Net Change (Unaudited)	12/31/2023 Balance	Target (25% of Budget)	Over/(Under) Budget
Cape Elizabeth	\$286,837	\$95,958	\$382,795	\$618,257	(\$235,462)
Cumberland	\$60,778	(\$33,638)	\$27,140	\$329,147	(\$302,007)
Gorham	\$94,176	\$18,789	\$112,965	\$433,831	(\$320,866)
Portland	\$3,452,153	\$723,357	\$4,175,510	\$4,376,958	(\$201,448)
Westbrook	\$313,278	(\$94,675)	\$218,603	\$1,059,048	(\$840,445)
Windham (South)	\$120,194	\$48,008	\$168,202	\$127,649	\$40,553

Renewal and Replacement Funds:

	Balance (Budget)	(5% of Asset)	Budget
Cape Elizabeth	\$741,324	\$957,546	(\$216,222)
Cumberland	\$187,441	\$474,002	(\$286,561)
Gorham	\$888,995	\$943,494	(\$54,499)
Portland	\$6,038,081	\$6,306,419	(\$268,338)
Westbrook	\$3,745,300	\$1,168,731	\$2,576,569
Windham (South)	\$405,193	\$196,066	\$209,127

It was moved by Trustee Willett and seconded by Trustee McCann.

It was Voted and unanimously,

**ORDERED**, that a portion of the 2023 annual operating fund change in the Windham Fund in excess of the Operating Contingency Fund target balance is hereby transferred to its Capital Renewal and Replacement Fund.

**Order 24-015**, authorizing an amendment to the Capital Improvement Plan Project 2023 021-3264.

The primary clarifier sludge removal system “cross collector screw” conveys sludge collected in the primary basins from the tanks to the sludge treatment system. Replacement of these screws was included in the 2023 CIP. There are three primary basins.

This year, multiple replacement quotes were evaluated. The system that was selected included stainless steel screws, drives, and drive chains. The cost of one is \$68,000 and installation is expected to cost no more than \$32,000.

The current budget for CIP Project 2023 21-3264 is \$150,000. To purchase a cross-collector screw in the second tank (which is currently being upgraded), the CIP budget will have to be increased. An increase of \$60,000 will allow for purchase and installation. Manufacturing lead time is expected to be in excess of 20 weeks.

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

It was Voted and unanimously,

ORDERED, the General Manager is hereby authorized to amend the Capital Improvement Plan Project 2023 021-3264 by increasing it by \$60,000 to a total amount of \$210,000.

Order 24-016 had to be amended because the Operations Committee took its vote at the workshop on April 8, and the amounts listed in the original order acted on by the Operations Committee have changed.

Trustee Siviski made a motion to accept the amended order, seconded by Trustee Libby. It was voted all in favor.

**Order 24-016**, authorizing actions related to the North Windham Sewer Project.

PWD and the Town of Windham are engaged in a collaborative effort to provide a new sewer collection system, WWTF, and effluent disposal system in the commercial area of North Windham along Rt. 302. The recent phase of the Design-Build project began in November of 2022, and significant progress has been achieved in the last 18 months. The project is nearing the final stages of design, and significant construction has already been achieved with the first construction contract: GMP 1 (Guaranteed Maximum Price), approved in May of 2023.

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

It was Voted and unanimously,

ORDERED, the General Manager is hereby authorized to execute a construction management services contract amendment "GMP 2" (Guaranteed Maximum Price) with MWH Constructors, Inc. for the North Windham WWTF construction in the amount of up to \$21,000,000; and

BE IT FURTHER ORDERED, a construction management services contract amendment "GMP 3" with MWH Constructors, Inc. is hereby authorized for collection system installation in the amount of up to \$3,500,000; 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.

BE IT FURTHER ORDERED, a professional services contract amendment with Brown & Caldwell is hereby authorized for the Project in the amount of up to \$2,000,000; 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.

BE IT FURTHER ORDERED, that the Project (CIP 2022-182/3324) budget is amended by increasing it to a total of \$40,000,000; 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 24-017**, authorizing the General Manager to execute a contract with Gorrill Palmer for professional services.

In December, 2023, the District partnered with the Town of Standish on a project to make improvements to the intersection of Route 35 and Route 114. While the town's goals are to improve traffic flow, the District's objective is to enhance the protection of water quality in the Lower Bay of Sebago Lake by redirecting the majority of the stormwater from Standish Brook to an existing ditch and natural drainageway on District-owned land adjacent to Northeast Road Extension.

As a result of the ongoing stormwater redirection project, stormwater flow to the existing infiltration ditch alongside Northeast Road Extension is projected to increase tenfold. As a result, the existing ditch needs to be modified to handle the increased flow, and a section of the subsequent drainageway on PWD land needs to be modified to avoid potential impact to the historic railroad turnstile. Once completed, this project will remove and treat the majority of intersection stormwater currently flowing to Standish Brook. This will provide a significant reduction in the amount of polluted stormwater that is currently flowing from the intersection to the Lower Bay of Sebago Lake. Treatment by District-owned forest, and three natural wetland areas along the drainageway will significantly mitigate stormwater pollution currently flowing to the Lower Bay of Sebago Lake.

It was moved by Trustee Crockett and seconded by Trustee McCann.

It was Voted and unanimously,

ORDERED, the General Manager is hereby authorized to execute a contract with Gorrill Palmer for professional services in the amount of up to \$21,500 for engineering to modify the existing ditch adjacent to Northeast Road Extension and modify the drainageway on District-owned land.

**OTHER BUSINESS**

None

**SECOND INVITATION FOR PUBLIC COMMENT**

None

**TRUSTEE COMMENTS**

Trustee Levinsky asked about the timetable for fixing the heat in the Nixon Room. It will be done this week.

**EXECUTIVE SESSION**

Trustee McCann made a motion pursuant to 1 M.R.S. §405 (6)(E) regarding legal rights and responsibilities of the Board to go into executive session, seconded by Trustee Willett. Voted all in favor.

Trustee Siviksi made a motion to adjourn the executive session, seconded by Trustee Willett. Voted all in favor.

**ADJOURNMENT**

The meeting adjourned at 8:19 p.m.

Submitted by,

Carrie E. Cote  
Assistant Clerk