



Long Creek Watershed Management District Board of Directors Meeting

Agenda: March 28, 2024, 9:00a.m. to 11:00a.m.

Location: South Portland Water Pollution Control Facility, 111 Waterman Drive,
South Portland, Maine or [Click here to join the meeting](#) on Microsoft Teams

Time	Agenda Item	Attachment	Page(s)
9:00 — 9:05	1. Call to Order		
9:05 — 9:10	2. Minutes: January 23, 2024, Board Meeting <i>Proposed Motion: Motion to approve the January 23, 2024, Board meeting minutes.</i>	Attachment A	1 — 7
9:10 — 9:15	3. Minutes: February 20, 2024, Board Meeting <i>Proposed Motion: Motion to approve the February 20, 2024, Board meeting minutes.</i>	Attachment B	8 — 11
9:15 — 9:25	4. Treasurer’s Report: February Financial Report	Attachment C	12 — 26
9:25 — 9:30	5. A Partner in Technology, Approve Contract with Revised Insurance Limits: <i>Proposed Motion: Motion to authorize the Executive Director to enter into a two-year Services Agreement with A Partner in Technology for information technology services with Automobile Liability insurance in the amount of \$1,000,000, combined single limit, based upon A Partner in Technology representing and warranting that the work under the Services Agreement will be performed remotely.</i>		
9:30 — 9:35	6. 75 Darling Preble Street, LLC: Private BMP Incentive Program Award; Request to Amend Agreement	Attachment D	27 — 28
9:35 — 10:35	7. Long Creek Watershed Management Plan: Next Steps	Attachment E	29
10:35 — 10:40	8. Public Comment(s)		
10:40 — 10:45	9. Next Meeting: April 16, 2024, 9:00a.m.-11:00a.m.		
10:45	10. Adjourn		

ATTACHMENT A



Long Creek Watershed Management District Board of Director's Meeting

Minutes from January 23, 2024, Meeting

Location: Gorrill Palmer, 300 Southborough Drive, Suite 200, 2nd Floor, South Portland, Maine
or [Click here to join the meeting](#) on Microsoft Teams

1. **Call to Order:** Mr. Roncarati called the meeting to order at 9:01a.m.
2. **Roll Call:**
 - a. Attendance: Curtis Bohlen, Peter Connell, Sean Donohue, Brian Goldberg, Will Haskell, Jason Kenney, Ron Lessard, Doug Roncarati, Taryn Trefethen-Boileau
 - b. Absent: Angela Blanchette, Fred Dillon, Cindy Dionne, Eric Dudley, Richard Matthews
 - c. Staff/Guests: Peter Carney (Long Creek Watershed Management District); Jim Katsiaficas, Esq. (Perkins Thompson); Joe Siviski, Esq. (Perkins Thompson); Chris Brewer (Cumberland County Soil & Water Conservation District); Greg Bilezikian, BFE Ventures LLC (Participating Landowner)
3. **Review of Board Meeting Minutes:**
 - a. The Board reviewed the minutes from the November 8, 2023, meeting.
 - b. **Mr. Haskell made a motion to approve the November 8, 2023, Board meeting minutes. Ms. Trefethen-Boileau seconded the motion. The motion carried unanimously.**
4. **Treasurer's Report:**
 - a. Mr. Bohlen reviewed the December Financial Report.
 - b. Mr. Bohlen noted construction funds are moving out for the South Branch BMP Retrofits project and for grant reimbursements for equipment to implement the Sustainable Winter Management program.
 - c. Mr. Bohlen reviewed the Fiscal Year 2023 audited financial statements.
 - d. Mr. Bohlen mentioned the audit identified one issue with District's internal financial controls, being that the Fiscal Agent creates invoices, processes customer payments, and deposits the funds. The auditor encouraged the District to consider a way to separate duties, if possible, or provide some other check on District income.
 - e. With respect to the auditor's suggestion, Mr. Katsiaficas asked if the Fiscal Agent is bonded.
 - f. Mr. Brewer noted he is bonded by the State of Maine through the Risk Management Division.
 - g. Mr. Brewer summarized the status of the Accounts Receivable report.
5. **Executive Session – Personnel Matter (re: Annual Performance Review):**
 - a. Mr. Carney noted that his employment anniversary date with the District arises each August.
 - b. Mr. Carney advised that a group of volunteers from the Board of Directors evaluate the Executive Director's work and prepare a written performance review. This year, the review team included Mr. Dillon, Mr. Roncarati, Mr. Donohue, and Mr. Haskell. Typically, changes are made to the Executive Director's terms of employment following the review.

- c. Mr. Carney noted that the review team looks to the District's forming municipalities for parity when considering the Executive Director's employment terms.
- d. Mr. Carney advised that he and the review team agreed to put before the Board a proposal for a salary increase of 4% as well as adding two additional holidays, Juneteenth and the Day After Thanksgiving.
- e. Mr. Carney noted that salary increases for the forming municipalities in 2023 ranged from 2% to 6%, and all four municipalities have Juneteenth and the Day After Thanksgiving as holidays.
- f. Mr. Carney noted that while Board meetings are generally open to the public, Maine's public access law allows the Board to go into executive session to consider employment matters.
- g. **Mr. Bohlen made a motion that the Board go into executive session under 1 M.R.S. § 405(6)(A) to discuss a personnel matter where public discussion could reasonably be expected to damage the employee's reputation or violate his/her right to privacy. Mr. Lessard seconded the motion. The motion carried unanimously.**
- h. **Mr. Bohlen made a motion that the Board end the executive session under 1 M.R.S. § 405(6)(A) to discuss a personnel matter where public discussion could reasonably be expected to damage the employee's reputation or violate his/her right to privacy. Mr. Lessard seconded the motion. The motion carried unanimously.**
- i. Following the executive session, Mr. Haskell provided Mr. Carney with a summary of the Board's discussion concerning the performance evaluation and advised that the Board supports the proposal for the salary increase and two additional holidays.
- j. **Mr. Lessard made a motion to increase the Executive Director's salary by 4%, apply the existing health insurance stipend of 15% to the new base salary amount, apply the existing employer Simple IRA contribution of 3% to the total of the new base salary amount plus the amount of the health insurance stipend, and to amend the terms of the Executive Director's employment to add Juneteenth and the Day After Thanksgiving as holidays. Mr. Donohue seconded the motion. The motion carried unanimously.**

6. Award Pavement Sweeping Services Agreement (2024-2025):

- a. Mr. Carney reminded the Board that the District's contract for pavement sweeping expired at the end of 2023 and as a result a request for proposals for pavement sweeping services was issued in December.
- b. Mr. Carney advised that one proposal was received in response to the request for proposals, submitted by Maritime Farms & Land Management, LLC ("Maritime"). Maritime had two prior sweeping contracts with the District, from 2017-2020 and 2021-2023.
- c. Maritime's contract that expired at the end of 2023 included the option of two one-year extensions subject to mutual agreement of the parties.
- d. The District requested a proposal from Maritime last fall to extend the contract to 2024.
- e. Maritime submitted a bid last fall in the amount of \$217,166.30, annually.
- f. For the final year of Maritime's contract that expired in 2023, the District budgeted \$148,768.40, for a similar scope of work.

- g. When the extension into 2024 was considered, it was determined that the price increase over the previous contract was substantial enough (\$68,397.90) that the District should at least put the pavement sweeping services work out to bid.
- h. Mr. Carney advised that the request for proposals was issued December 14, 2023, and advertised in Maine Municipal Association classifieds and by direct email.
- i. Under Maritime's current proposal, the bid is for \$209,804, annually.
- j. The proposal from Maritime was reviewed and scored by Mr. Carney and Mr. Roncarati.
- k. Mr. Brewer displayed the scoring summary on "share screen."
- l. Mr. Carney noted that the overall average score for Maritime is 92 out of a total of 100 points.
- m. From discussions with the contractor, Mr. Carney explained that the cost differential over the most recent contract was attributed to the cost of acquiring a second regenerative air sweeper, costs of repairing equipment damaged by pavement that is not maintained, and inefficiencies due to the District not having lay down yard which requires that sweepings be managed while working overnight until the disposal facility opens the next morning. In addition, the routine maintenance cost of the sweepers is expensive.
- n. Mr. Carney and Mr. Roncarati recommended award of the pavement sweeping services agreement to Maritime.
- o. **Mr. Haskell made a motion to authorize the Executive Director to enter into a Services Agreement with Maritime Farms & Land Management, LLC for Pavement Sweeping Services in accordance with the terms of the respective Request for Proposals issued by LCWMD on December 14, 2023, and Service Provider's proposal dated January 18, 2024. Mr. Roncarati seconded the motion. The motion carried unanimously.**

7. Change Order, Legal Services Agreement, Perkins Thompson:

- a. Mr. Carney advised that a rate increase has been requested for legal services provided by Perkins Thompson.
- b. Mr. Carney noted the original legal services agreement with Perkins Thompson was entered into in 2010 with rates of \$175 per hour for attorneys and \$100 per hour for paralegals. The attorney rate increased to \$200 per hour in 2016, and that rate has not changed since.
- c. The proposed change order would increase the attorney rate to \$225 per hour and the paralegal rate to \$135 per hour.
- d. Mr. Katsiaficas noted that Perkins Thompson has maintained stable rates over the years for nonprofit organizations to ensure that legal services are affordable for them. Mr. Katsiaficas noted that Perkins Thompson's current private client rates range from \$355 to \$425 per hour.
- e. **Mr. Haskell made a motion to authorize the Executive Director to enter into a Change Order with Perkins Thompson to increase the compensation rate in the Legal Services Agreement dated September 7, 2010, to \$225 per hour for Attorneys and \$135 per hour for paralegals in accordance with the Change Order included as Attachment D to today's Board packet. Mr. Donohue seconded the motion. The motion carried unanimously.**

8. Fiscal Year 2025 Estimate of Expenditures and Anticipated Revenues:

- a. Mr. Carney asked the Board to direct its attention to Exhibit E in today's Board packet.

- b. Mr. Carney noted that the Interlocal Agreement under which the District was formed and the District's Bylaws require that the Board present an "Estimate of Expenditures and Anticipated Revenues" to Participating Landowners on or before February 1 of each year for the following fiscal year.
- c. Mr. Carney advised that the purpose of the annual estimate is to provide Participating Landowners with an estimate of what their annual assessments will be for the next fiscal year for their budgeting purposes.
- d. Mr. Carney noted that most of the line-item amounts in the draft budget are either estimates based on year-to-date figures for Fiscal Year 2024 or are figures from established services agreements.
- e. For way of background, the District's annual income of approximately \$1.5 million is budgeted in four categories established by the District's organizational documents: Administration, Construction, Monitoring, and Non-Structural.
- f. Mr. Carney noted that Administrative costs pertain primarily to salary and related costs for the Executive Director and for the broad-based services agreements that the District maintains with the Cumberland County Soil & Water Conservation District.
- g. Mr. Carney advised that the services agreement with Cumberland County Soil & Water Conservation District includes services such as accounting services, engineering and GIS technical support, field support for other contractors, implementing the annual parcel inspection program, and education and outreach support.
- h. Mr. Carney noted that the Construction aspect of the budget is for the construction of new Structural BMPs (*e.g.* the gravel wetland currently under construction), and inspection, landscaping, maintenance, and repair of existing Structural BMPs. No new construction projects are budgeted for in Fiscal Year 2025.
- i. In addition, the budget for the Private BMP Incentive program is budgeted under the "Construction" category as that program originally anticipated that the funds would be used for construction of private BMPs.
- j. The Monitoring budget includes in-stream continuous and grab sample monitoring, biomonitoring, and fish monitoring. No biomonitoring or fish monitoring is required in Fiscal year 2025.
- k. The Non-structural aspect of the budget includes pavement sweeping, catch basin cleaning, the Sustainable Winter Management (SWiM) program, the annual parcel inspection program, and education and outreach.
- l. Mr. Carney noted the Board is required to adopt a final budget for Fiscal Year 2025 prior to July 1. Potential revisions in the final budget compared to the estimated budget being considered today may include slight increases in travel and conference budget to for professional development, updated income line items, and a potential increase in total income pending MTA's evaluation of its impervious area in watershed following widening of the Maine Turnpike and reconfiguration of the Exit 45 interchange.
- m. **Mr. Bohlen made a motion to approve the Fiscal Year 2025 estimate of expenditures and anticipated revenues as set forth in draft Fiscal Year 2025 budget included as Attachment E to today's Board packet. Mr. Lessard seconded the motion. The motion carried unanimously.**

9. Public Comment(s): Jamie Willey, Portland, Maine. Mr. Willey noted that Long Creek discharges into the Fore River which subsequently discharges to Casco Bay. As a result, the work being performed by the District in the Long Creek Watershed ultimately benefits water quality in Casco Bay. Mr. Willey advised he is part of a community group that is looking into responsibly removing a dam on the nearby Stroudwater River located in Portland, which also discharges into the Fore River before entering Casco Bay. If the City of Portland can be encouraged to responsibly remove the dam it would be beneficial to water quality in the Fore River and ultimately Casco Bay.

10. Next Meeting:

- a. Mr. Carney reminded the Board that at a previous meeting a meeting schedule was discussed that would include a “hybrid” of established and floating meeting dates and times.
- b. Today’s Board packet includes a proposed schedule, in Attachment F, under which one-half of monthly Board meetings would be scheduled for a set time and the other half would be floating meeting times based on business need.
- c. There was a consensus among the Board that the proposed “hybrid” schedule will be tried, therefore, the next Board meeting will be on the third Tuesday of February (February 20) from 9:00a.m. to 11:00a.m.

11. Adjourn: The meeting adjourned at 10:55a.m.

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Board attendance and voting record:

Board Member	Attendance	Approve November 8, 2023, Minutes	Executive Session (in)– Personnel Matter	Executive Session (out) – Personnel Matter
Blanchette	N	—	—	—
Bohlen	Y	Y	Y	Y
Connell	Y	—	Y	Y
Dillon	N	—	—	—
Dionne	N	—	—	—
Donahue	Y	Y	Y	Y
Dudley	N	—	—	—
Goldberg	Y	Y	Y	Y
Haskell	Y	Y	Y	Y
Kenney	Y	Y	Y	Y
Lessard	Y	Y	Y	Y
Matthews	N	—	—	—
Roncarati	Y	Y	Y	Y
Trefethen-Boileau	Y	Y	Y	Y

Board Member	Motion Following Executive Session re: Executive Director	Award Pavement Sweeping Services Agreement (2024-2025)	Change Order, Legal Services Agreement, Perkins Thompson	Fiscal Year 2025 Estimate of Expenditures and Anticipated Revenues
Blanchette	—	—	—	—
Bohlen	Y	Y	Y	Y
Connell	Y	Y	Y	Y
Dillon	—	—	—	—
Dionne	—	—	—	—
Donahue	Y	Y	Y	Y
Dudley	—	—	—	—
Goldberg	Y	Y	Y	Y
Haskell	Y	Y	Y	Y
Kenney	Y	Y	Y	Y
Lessard	Y	Y	Y	Y
Matthews	—	—	—	—

Roncarati	Y	Y	Y	Y
Trefethen-Boileau	Y	Y	Y	Y

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ATTACHMENT B



Long Creek Watershed Management District Board of Director's Meeting

Minutes from February 20, 2024, Meeting

Location: Cumberland County Soil & Water Conservation District, 35 Main Street, Suite #3, Windham, Maine or [Click here to join the meeting](#) on Microsoft Teams

1. **Call to Order:** Mr. Roncarati call the meeting to order at 9:05a.m.
2. **Roll Call:**
 - a. Attendance: Curtis Bohlen, Fred Dillon (joined at 10:04a.m.), Brian Goldberg, Will Haskell (joined at 9:09a.m.), Jason Kenney, Doug Roncarati
 - b. Absent: Angela Blanchette, Peter Connell, Cindy Dionne, Sean Donohue, Eric Dudley, Richard Matthews, Taryn Trefethen-Boileau
 - c. Staff/Guests: Peter Carney (Long Creek Watershed Management District); Jim Katsiaficas, Esq. (Perkins Thompson); Chris Brewer (Cumberland County Soil & Water Conservation District)
 - d. Mr. Carney advised that Mr. Lessard resigned his position on the Board, effective yesterday, as he is leaving his employment with Diodes Incorporated. This leaves a vacancy for a Participating Landowner seat on the Board to be appointed by the City of South Portland.
 - e. Mr. Carney noted that as a result of Mr. Lessard's resignation a quorum of seven Board members is now needed for the Board to act.
 - f. As a quorum of Board members was not present, Mr. Roncarati proceeded with the agenda items not requiring Board action.
3. **Review of Board Meeting Minutes:** As there was not a quorum of Board members present, this item was deferred for action at the Board's next meeting.
4. **Treasurer's Report:**
 - a. Mr. Bohlen reviewed the January Financial Report.
 - b. Mr. Bohlen noted that construction funds are moving out for the South Branch Retrofits project with several large invoices having been paid.
 - c. The District received checks to pay off two outstanding assessment matters. The payments of principal, late fees, and interest charges totaled \$403,005. The accounts are now in good standing and the Maine Department of Environmental Protection has received new Notices of Intent to Comply with the Long Creek General Permit for the two properties.
5. **A Partner in Technology, Approve Contract with Revised Insurance Limits:** As there was not a quorum of Board members present, this item was deferred for action at the Board's next meeting.
6. **Long Creek Watershed Management Plan, Status Update:**
 - a. Mr. Carney asked the Board to turn its attention to Attachment C to today's Board packet.
 - b. Mr. Carney advised that the table in Attachment C reflects biomonitoring results for Long Creek since the inception of the Watershed Management Plan.

- c. Biomonitoring results from the August 2023 sampling event were recently received and reflect that the results from all six primary monitoring locations are “nonattainment” status, meaning that water quality at these locations does not meet the water quality standards established by the Maine Department of Environmental Protection.
- d. Given the biomonitoring results, and the gravel wetland currently under construction being the final construction project identified in the Watershed Management Plan, Mr. Carney suggested it might be time to have a discussion of next steps.
- e. Mr. Roncarati suggested that the District needs to continue to address the suite of issues affecting water quality in Long Creek including pollutants, hydrology, and habitat.
- f. Mr. Roncarati noted that particular attention should be paid to reducing chlorides and infiltrating clean water, both of which are being discussed as part revisions to the Maine Department of Environmental Protection’s stormwater management rules.
- g. Mr. Katsiaficas noted that the District has collected fifteen years of data, and that data could be used to develop revisions to the Watershed Management Plan during the next permit cycle. Some research could be started now since we do not have a firm schedule for the next cycle of the Long Creek General Permit.
- h. Mr. Goldberg asked whether there are examples of successes in restoring urban streams in other places.
- i. Mr. Carney noted that it is his understanding that watershed restoration efforts in other parts of the county are experiencing similar difficulty in achieving water quality improvements in urban streams, noting that other watershed managers are having conversations similar to those of the District.
- j. Mr. Bohlen noted that documented chloride levels in Long Creek mean that salt application may need to be cut by one-half to one-third of what is currently being applied.
- k. Mr. Roncarati suggested that restoration of predevelopment flow curves should be a focus because not enough clean water is getting into the ground to maintain healthy base flow.
- l. Mr. Bohlen suggested it may not be feasible to return to a predevelopment hydrograph given the potential cost and the unknown length of time that might take.
- m. Mr. Carney suggested that there may need to be a change in the regulatory perspective with respect to the length of time it may take to restore an urban stream, the ten years contemplated in the Watershed Management Plan is not enough.
- n. Mr. Goldberg suggested focusing on developing a reasonable time frame for restoration and reasonable interim goals within that time frame.
- o. Mr. Goldberg further suggested that the Executive Director should begin to outline next steps and potential costs. The district may also want to consider hiring a consultant to have an “outside” set of eyes look at the work that has been done.
- p. Mr. Dillon suggested that the District should also consider small scale interventions as opposed to large construction projects and that a long-term perspective should be considered with respect to redevelopment projects within the watershed.
- q. Mr. Carney agreed to sketch out an outline of next steps for the next Board meeting.

7. Public Comment(s): None.

8. **Next Meeting:** The next meeting is scheduled for March with a “floating” meeting date. Mr. Carney will send a poll to determine the date of the next meeting.
9. **Adjourn:** The meeting adjourned at 10:42a.m.

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Board attendance and voting record:

Board Member	Attendance
Blanchette	N
Bohlen	Y
Connell	N
Dillon	Y (10:04a.m.)
Dionne	N
Donahue	N
Dudley	N
Goldberg	Y
Haskell	Y (9:09a.m.)
Kenney	Y
Matthews	N
Roncarati	Y
Trefethen-Boileau	N

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ATTACHMENT C



Financial Report

Long Creek Watershed Management District
For the period ended February 29, 2024

Prepared by
Christopher Brewer, Fiscal Agent

Prepared on
March 21, 2024

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Monthly:Budget vs. Actuals - FY24 P&L14

Financial Reports Include:

1. **Balance Sheet:** presents a snapshot of the District as of the end of the month. The report calculates what the District is worth by subtracting all of the money the district owes (liabilities) from everything it owns (assets). The total includes the net income for the fiscal year to date. This report is required by the Documentation of Internal Control Structure.
2. **Profit and Loss:** summarizes the income and expenses for the month, to determine if the District is operating at a profit or loss. The report shows subtotals for each income or expense account. The last line shows the net income or loss for the month. This report is required by the Documentation of Internal Control Structure.
3. **Withdrawals by Bank Account:** details all outgoing transactions from the bank accounts. This report is required by the Documentation of Internal Control Structure.
4. **Deposit Listing by Bank Account:** details all deposits into the bank accounts. This report is required by the Documentation of Internal Control Structure.
5. **Accounts Receivable Aging Summary:** This report summarized the status of unpaid invoices and statement charges in Accounts Receivable. For each customer the report shows what the customer owes for the current and previous billing periods. This report is required by the Documentation of Internal Control Structure.
6. **Accounts Payable Aging Summary:** summarizes the status of unpaid bills in the Accounts Payable showing what is owed, who it is owed to and when it is due. This report is required by the Documentation of Internal Control Structure.
7. **Expenses by Vendor Summary:** summarizes the total payments to vendors during the fiscal year. This report is one of the tools used to monitor contractual payments to vendors.
8. **Profit and Loss Budget Performance:** summarizes the income and expenses for the month, to determine if the District is operating at a profit or loss compared to the estimated budget. The report shows subtotals for each income or expense account which are also compared to the estimated budget. This report is required by the Documentation of Internal Control Structure.

Profit and Loss

February 2024

	Feb 2024	Jul 2023 - Feb 2024 (YTD)	Total
INCOME			
4100 ADMINISTRATION	1,561.79		199,871.24
4200 CONSTRUCTION AND MAINTENANCE	5,235.18		729,737.07
4500 GOOD HOUSEKEEPING	3,521.66		414,137.20
4600 MONITORING	762.35		101,987.88
4810 FINANCE CHARGES	2,551.70		18,541.92
4820 INTEREST	1,066.58		8,489.66
4840 Other Income			97.00
Total Income	14,699.26		1,472,861.97
GROSS PROFIT	14,699.26		1,472,861.97
EXPENSES			
5010 ADS			100.00
5040 CONSTRUCTION			
5042 Engineering	2,437.96		14,697.26
5044 Permit Fees			150.00
5046 Structural	341,284.00		966,657.00
5046.1 Private BMP Incentive Program	3,300.00		43,611.81
5047 Inspection and Maintenance			85,900.00
5048 Non-Routine Repair & Maint.			22,701.00
5049 Landscaping of Const. Proj.			57,853.00
Total 5040 CONSTRUCTION	347,021.96		1,191,570.07
5060 MONITORING EXPENSE			
5061 Watershed Monitoring	7,811.25		61,953.99
Total 5060 MONITORING EXPENSE	7,811.25		61,953.99
5090 EQUIPMENT	2,230.00		2,330.80
6000 PROGRAM EXPENSE			
6002 Loan Payment			75,758.30
Total 6000 PROGRAM EXPENSE			75,758.30
6160 DUES AND SUBSCRIPTIONS			1,714.84
6180 INSURANCE			
6181 Liability Insurance			8,749.00
Total 6180 INSURANCE			8,749.00
6250 POSTAGE AND DELIVERY	66.50		66.50
6270 PROFESSIONAL FEES			
6271 Consultant-Engineer	140.00		11,686.25
6272 Legal Fees	1,170.00		7,650.00
6273 Accounting			10,100.00
6275 Plan Implementation	13,423.37		81,530.33
6276 Sweeping			56,731.76
6283 Waste Management			3,687.87
Total 6270 PROFESSIONAL FEES	14,733.37		171,386.21
6340 TELEPHONE	121.64		760.18
6350 TRAVEL			
6354 Travel	14.67		78.75

	Feb 2024	Jul 2023 - Feb 2024 (YTD)	Total
6355 Conferences			198.00
Total 6350 TRAVEL	14.67		276.75
7200 Salaries & Related Expenses			
7220 Salaries & Wages	7,722.64		63,414.79
7245 Employee Benefits - Simple IRA	231.68		1,902.38
7250 Payroll Taxes, etc.	590.78		4,851.24
7260 Payroll Processing & Fees	51.00		356.00
7270 Workers Comp Insurance	576.00		511.03
Total 7200 Salaries & Related Expenses	9,172.10		71,035.44
Total Expenses	381,171.49		1,585,702.08
NET OPERATING INCOME	-366,472.23		-112,840.11
NET INCOME	\$ -366,472.23		\$ -112,840.11

Balance Sheet

As of February 29, 2024

	As of Feb 29, 2024	As of Feb 28, 2023 (PY)	Total % Change
ASSETS			
Current Assets			
Bank Accounts			
1110 MCB Checking	4,023.43	6,084.85	-33.88 %
1116 MCB Savings Base	200,000.00	200,000.00	0.00 %
1117 MCB Sweep Savings	4,051,807.37	3,927,209.73	3.17 %
1117R Non-Routine Maintenance Reserve	346,513.30	205,850.87	68.33 %
Total 1117 MCB Sweep Savings	4,398,320.67	4,133,060.60	6.42 %
Total Bank Accounts	4,602,344.10	4,339,145.45	6.07 %
Accounts Receivable			
1200 ACCOUNTS RECEIVABLE	175,110.73	476,574.96	-63.26 %
Total Accounts Receivable	175,110.73	476,574.96	-63.26 %
Other Current Assets			
12100 Performance Guarantee	33,050.00	33,050.00	0.00 %
1400 ALLOWANCE FOR DOUBTFUL ACCOUNTS	-82,983.16	-82,983.16	0.00 %
1499 UNDEPOSITED FUNDS	0.00	3,443.56	-100.00 %
Total Other Current Assets	-49,933.16	-46,489.60	-7.41 %
Total Current Assets	4,727,521.67	4,769,230.81	-0.87 %
Fixed Assets			
1700 FIXED ASSETS			
1740 Infrastructure	194,074.09	194,074.09	0.00 %
1740-02 B21 Blanchette Br. Restoration	611,612.80	611,612.80	0.00 %
1740-03 Darling Avenue Improvements	572,926.52	572,926.52	0.00 %
1740-07 Mall Plaza Improvements	1,256,737.05	1,256,737.05	0.00 %
1740-09 Philbrook Ave Improvements	428,967.91	428,967.91	0.00 %
1740-11 B21 Col. Westbrook Improvements	207,979.14	207,979.14	0.00 %
1740-16 Port Resources Improvements	51,745.00	51,745.00	0.00 %
1740-20 C08 Fairchild Improvements	259,759.13	259,759.13	0.00 %
1740-21 Gorham Road Improvements	491,412.26	491,412.26	0.00 %
1740-22 Maine Mall Road Improvements	693,732.87	693,732.87	0.00 %
1740-23 GGP Gravel Wetland	664,216.29	664,216.29	0.00 %
Total 1740 Infrastructure	5,433,163.06	5,433,163.06	0.00 %
1780 Construction in Process	0.00	0.00	
1786 South Branch BMP Retrofits E-34	179,922.35	171,461.90	4.93 %
Total 1780 Construction in Process	179,922.35	171,461.90	4.93 %
1790 Accumulated Depreciation	-1,104,314.91	-995,651.65	-10.91 %
Total 1700 FIXED ASSETS	4,508,770.50	4,608,973.31	-2.17 %
Total Fixed Assets	4,508,770.50	4,608,973.31	-2.17 %
TOTAL ASSETS	\$9,236,292.17	\$9,378,204.12	-1.51 %

LIABILITIES AND EQUITY

	As of Feb 29, 2024	As of Feb 28, 2023 (PY)	Total % Change
Liabilities			
Current Liabilities			
Accounts Payable			
2000 ACCOUNTS PAYABLE	419,989.39	83,824.43	401.03 %
Total Accounts Payable	419,989.39	83,824.43	401.03 %
Credit Cards			
1114 Credit Card	51.00	1,473.50	-96.54 %
Total Credit Cards	51.00	1,473.50	-96.54 %
Other Current Liabilities			
2210 Accrued Vacation	1,801.74	1,801.74	0.00 %
2310 Construction Retainage	95,665.70	0.00	
Payroll Liabilities			
Federal Unemployment (940)	42.00	42.00	0.00 %
ME Income Tax	0.00	191.00	-100.00 %
Simple IRA Catch-Up	1,693.20	0.00	
Total Payroll Liabilities	1,735.20	233.00	644.72 %
Total Other Current Liabilities	99,202.64	2,034.74	4,775.45 %
Total Current Liabilities	519,243.03	87,332.67	494.56 %
Long-Term Liabilities			
2700 MM BOND BANK	606,066.40	681,824.70	-11.11 %
Total Long-Term Liabilities	606,066.40	681,824.70	-11.11 %
Total Liabilities	1,125,309.43	769,157.37	46.30 %
Equity			
3000 NET ASSETS	8,223,822.85	7,646,336.70	7.55 %
Net Income	-112,840.11	962,710.05	-111.72 %
Total Equity	8,110,982.74	8,609,046.75	-5.79 %
TOTAL LIABILITIES AND EQUITY	\$9,236,292.17	\$9,378,204.12	-1.51 %

Checks and Credit Card Charges by Date

February 2024

Date	Transaction Type	Num	Posting	Name	Memo/Description	Account	Split	Amount
02/07/2024	Bill Payment (Check)	1269	Yes	R. J. Grondin & Sons		1110 MCB Checking	2000 ACCOUNTS PAYABLE	-296,143.20
02/14/2024	Bill Payment (Check)	1270	Yes	PERKINS THOMPSON	13657-0001	1110 MCB Checking	2000 ACCOUNTS PAYABLE	-1,170.00
02/14/2024	Bill Payment (Check)	1271	Yes	PINE ENVIRONMENTAL SERVICES, INC	04-LO04062	1110 MCB Checking	2000 ACCOUNTS PAYABLE	-100.80
02/14/2024	Bill Payment (Check)	1272	Yes	A Partner in Technology		1110 MCB Checking	2000 ACCOUNTS PAYABLE	-140.00
02/14/2024	Bill Payment (Check)	1273	Yes	CUMBERLAND COUNTY SWCD		1110 MCB Checking	2000 ACCOUNTS PAYABLE	-4,053.85
02/14/2024	Bill Payment (Check)	1274	Yes	Maine Municipal Bond Bank		1110 MCB Checking	2000 ACCOUNTS PAYABLE	-37,879.15
02/14/2024	Bill Payment (Check)	1275	Yes	CARD SERVICES		1110 MCB Checking	2000 ACCOUNTS PAYABLE	-51.00
02/14/2024	Bill Payment (Check)	1276	Yes	ONSET COMPUTER		1110 MCB Checking	2000 ACCOUNTS PAYABLE	-1,113.00
02/23/2024	Bill Payment (Check)	1277	Yes	ACORN ENGINEERING, INC		1110 MCB Checking	2000 ACCOUNTS PAYABLE	-2,437.96
02/23/2024	Bill Payment (Check)	1278	Yes	VERIZON		1110 MCB Checking	2000 ACCOUNTS PAYABLE	-121.64

Deposit List by Date

February 2024

Date	Transaction Type	Num	Posting	Name	Memo/Description	Account	Split	Amount
02/02/2024	Deposit		Yes			1116 MCB Savings Base	-Split-	18,286.48
02/05/2024	Deposit		Yes			1116 MCB Savings Base	-Split-	59,792.03
02/06/2024	Deposit		Yes			1116 MCB Savings Base	-Split-	403,005.34
02/06/2024	Deposit		Yes	Storage Realty Corp.		1116 MCB Savings Base	1499 UNDEPOSITED FUNDS	1,738.49
02/07/2024	Deposit		Yes	LZ Associates		1116 MCB Savings Base	1499 UNDEPOSITED FUNDS	2,764.28
02/13/2024	Deposit		Yes			1116 MCB Savings Base	-Split-	7,630.78
02/14/2024	Deposit		Yes	Individual Permit Holders Services:144 New Gen Holding Co LLC		1116 MCB Savings Base	1499 UNDEPOSITED FUNDS	261.85
02/15/2024	Deposit		Yes	United Rentals (North America), Inc.		1116 MCB Savings Base	1499 UNDEPOSITED FUNDS	2,789.53
02/20/2024	Deposit		Yes	Anthem Health Plans of Maine, Inc.		1116 MCB Savings Base	1499 UNDEPOSITED FUNDS	9,945.51
02/22/2024	Deposit		Yes	Philbrook Avenue Associates LLC		1116 MCB Savings Base	1499 UNDEPOSITED FUNDS	8,617.55
02/29/2024	Deposit		Yes	Maine Community Bank	INTEREST	1110 MCB Checking	4820 INTEREST	8.98
02/29/2024	Deposit		Yes	Maine Community Bank	INTEREST	1116 MCB Savings Base	4820 INTEREST	15.89
02/29/2024	Deposit		Yes	Maine Community Bank	INTEREST POSTING FOR DDA XXXXXX8999	1117 MCB Sweep Savings	4820 INTEREST	1,041.71

A/R Aging Summary

As of February 29, 2024

	Current	1 - 30	31 - 60	61 - 90	91 and over	Total
244 Western Ave Associates		-0.02				-0.02
333 Clark's Pond, LLC						0.00
138-01		1,550.94				1,550.94
Total 333 Clark's Pond, LLC		1,550.94				1,550.94
465 Main Street LLC						0.00
128-02		4,249.62				4,249.62
Total 465 Main Street LLC		4,249.62				4,249.62
ABR Realty Trust						0.00
79-V-01		365.86				365.86
Total ABR Realty Trust		365.86				365.86
Atlantic Regional Federal Credit Union						0.00
44-02					4,588.53	4,588.53
Total Atlantic Regional Federal Credit Union					4,588.53	4,588.53
Best Company, LLC						0.00
122-01					1.00	1.00
Total Best Company, LLC					1.00	1.00
Cabot House of Portland Real Estate Trust						0.00
100-01		2,105.39				2,105.39
Total Cabot House of Portland Real Estate Trust		2,105.39				2,105.39
CarMax Auto Superstores, Inc.					-0.02	-0.02
CPSP LLC		-6,955.32				-6,955.32
Fork Food Hub L3C						0.00
91-02		2,812.36				2,812.36
Total Fork Food Hub L3C		2,812.36				2,812.36
GGP-Maine Mall L.L.C.						0.00
28-R-01		122.39				122.39
30-R-01	11,080.98				10,827.90	21,908.88
Total GGP-Maine Mall L.L.C.	11,080.98	122.39			10,827.90	22,031.27
Hannaford Bros. Co., LLC						0.00
66-01		4,505.89			4,505.90	9,011.79
Total Hannaford Bros. Co., LLC		4,505.89			4,505.90	9,011.79

	Current	1 - 30	31 - 60	61 - 90	91 and over	Total
Individual Permit Holders Services						0.00
144 New Gen Holding Co LLC					208.60	208.60
Total Individual Permit Holders Services					208.60	208.60
Jetport Plaza LLC						0.00
99-01		12,134.96			0.75	12,135.71
Total Jetport Plaza LLC		12,134.96			0.75	12,135.71
Maine Department of Transportation						0.00
201-215 Designated Road Segments		85,230.73				85,230.73
Total Maine Department of Transportation		85,230.73				85,230.73
R.A. Cummings, Inc.						0.00
125-I-01		1,870.06				1,870.06
43-I-01		551.99				551.99
Total R.A. Cummings, Inc.		2,422.05				2,422.05
Sysco Northern New England, Inc.						0.00
109-01					0.07	0.07
Total Sysco Northern New England, Inc.					0.07	0.07
Transport Leasing Corp.						0.00
6-N-01		0.02				0.02
Total Transport Leasing Corp.		0.02				0.02
UPS						0.00
85-01		5,466.00			5,466.00	10,932.00
Total UPS		5,466.00			5,466.00	10,932.00
Washington Baxter, LLC						0.00
69-02					24,415.15	24,415.15
Total Washington Baxter, LLC					24,415.15	24,415.15
Winward Circle Condominium Association						0.00
135-02		5.00				5.00
Total Winward Circle Condominium Association		5.00				5.00
TOTAL	\$11,080.98	\$114,015.87	\$0.00	\$0.00	\$50,013.88	\$175,110.73

Accounts Payable Aging Summary

As of February 29, 2024

	Current	1 - 30	31 - 60	61 - 90	91 and over	Total
CUMBERLAND COUNTY SWCD	14,621.54					14,621.54
GZA GEOENVIRONMENTAL INC	7,811.25					7,811.25
MEMIC	576.00					576.00
Outdoor Service Company, INC	3,300.00					3,300.00
R. J. Grondin & Sons	307,155.60					307,155.60
Sterling Stormwater Maintenance Services, LLC		86,525.00				86,525.00
TOTAL	\$333,464.39	\$86,525.00	\$0.00	\$0.00	\$0.00	\$419,989.39

Expenses by Vendor Summary

July 2023 - February 2024

	Total
A Partner in Technology	416.25
Acadia Insurance	6,070.00
ACORN ENGINEERING, INC	14,697.26
Center for Watershed Protection	413.00
CITY OF SOUTH PORTLAND	10,150.00
CROSS INSURANCE	2,679.00
CUMBERLAND COUNTY SWCD	82,792.58
Eco Maine - Vendor	3,638.31
ESRI	1,373.84
GZA GEOENVIRONMENTAL INC	61,953.99
Intuit	357.00
Maine Community Bank	25.00
Maine Municipal Association	100.00
Maine Municipal Bond Bank	75,758.30
Maritime Farms Land Management	136,710.32
MEMIC	511.03
ONSET COMPUTER	1,113.00
Outdoor Service Company, INC	10,553.38
P.C. Sexton WIT Companies, LLC	9,500.00
PERKINS THOMPSON	7,650.00
PINE ENVIRONMENTAL SERVICES, INC	100.80
Purdy Powers & Company	10,100.00
R. J. Grondin & Sons	956,657.00
S&J Properties, LLC (V)	33,058.43
Sterling Stormwater Maintenance Services, LLC	86,525.00
TechSoup	75.00
VERIZON	760.18
WSP USA Environment & Infrastructure Inc.	1,770.00
Not Specified	50.00
TOTAL	\$1,515,558.67

Monthly: Budget vs. Actuals - FY24 P&L

July 2023 - February 2024

	Actual	Budget	Remaining	Total % Remaining
INCOME				
4100 ADMINISTRATION	199,871.24	193,525.92	-6,345.32	-3.28 %
4200 CONSTRUCTION AND MAINTENANCE	729,737.07	812,474.98	82,737.91	10.18 %
4500 GOOD HOUSEKEEPING	414,137.20	436,376.58	22,239.38	5.10 %
4600 MONITORING	101,987.88	94,462.52	-7,525.36	-7.97 %
4700 STREAM RESTORATION	0.00		0.00	
4810 FINANCE CHARGES	18,541.92		-18,541.92	
4820 INTEREST	8,489.66	8,000.00	-489.66	-6.12 %
4840 Other Income	97.00		-97.00	
Total Income	1,472,861.97	1,544,840.00	71,978.03	4.66 %
GROSS PROFIT	1,472,861.97	1,544,840.00	71,978.03	4.66 %
EXPENSES				
5010 ADS	100.00	500.00	400.00	80.00 %
5030 BAD DEBT		40,245.10	40,245.10	100.00 %
5040 CONSTRUCTION				
5041 BMP Repair & Replacement Reserve		200,000.00	200,000.00	100.00 %
5042 Engineering	14,697.26	21,746.00	7,048.74	32.41 %
5044 Permit Fees	150.00		-150.00	
5046 Structural	966,657.00	1,446,640.00	479,983.00	33.18 %
5046.1 Private BMP Incentive Program	43,611.81	295,000.00	251,388.19	85.22 %
5047 Inspection and Maintenance	85,900.00	127,975.00	42,075.00	32.88 %
5048 Non-Routine Repair & Maint.	22,701.00		-22,701.00	
5049 Landscaping of Const. Proj.	57,853.00	103,442.50	45,589.50	44.07 %
Total 5040 CONSTRUCTION	1,191,570.07	2,194,803.50	1,003,233.43	45.71 %
5060 MONITORING EXPENSE				
5061 Watershed Monitoring	61,953.99	79,193.00	17,239.01	21.77 %
Total 5060 MONITORING EXPENSE	61,953.99	79,193.00	17,239.01	21.77 %
5080 MEETINGS		10,000.00	10,000.00	100.00 %
5090 EQUIPMENT	2,330.80	5,000.00	2,669.20	53.38 %
6000 PROGRAM EXPENSE				
6002 Loan Payment	75,758.30	75,760.00	1.70	0.00 %
Total 6000 PROGRAM EXPENSE	75,758.30	75,760.00	1.70	0.00 %
6160 DUES AND SUBSCRIPTIONS	1,714.84	2,000.00	285.16	14.26 %
6170 EQUIPMENT RENTAL		500.00	500.00	100.00 %
6180 INSURANCE				

				Total
	Actual	Budget	Remaining	% Remaining
6181 Liability Insurance	8,749.00	10,000.00	1,251.00	12.51 %
Total 6180 INSURANCE	8,749.00	10,000.00	1,251.00	12.51 %
6240 MISCELLANEOUS	0.00		0.00	
6250 POSTAGE AND DELIVERY	66.50	650.00	583.50	89.77 %
6270 PROFESSIONAL FEES				
6271 Consultant-Engineer	11,686.25	88,250.00	76,563.75	86.76 %
6272 Legal Fees	7,650.00	20,000.00	12,350.00	61.75 %
6273 Accounting	10,100.00	10,100.00	0.00	0.00 %
6275 Plan Implementation	81,530.33	172,509.78	90,979.45	52.74 %
6276 Sweeping	56,731.76	148,768.40	92,036.64	61.87 %
6278 Catch Basin Cleaning		55,500.00	55,500.00	100.00 %
6283 Waste Management	3,687.87	20,000.00	16,312.13	81.56 %
Total 6270 PROFESSIONAL FEES	171,386.21	515,128.18	343,741.97	66.73 %
6340 TELEPHONE	760.18	1,440.00	679.82	47.21 %
6350 TRAVEL				
6351 Lodging		500.00	500.00	100.00 %
6353 Meals		500.00	500.00	100.00 %
6354 Travel	78.75	1,100.00	1,021.25	92.84 %
6355 Conferences	198.00	2,000.00	1,802.00	90.10 %
Total 6350 TRAVEL	276.75	4,100.00	3,823.25	93.25 %
6550 SUPPLIES		1,000.00	1,000.00	100.00 %
7200 Salaries & Related Expenses				
7220 Salaries & Wages	63,414.79	101,359.71	37,944.92	37.44 %
7245 Employee Benefits - Simple IRA	1,902.38	3,040.67	1,138.29	37.44 %
7250 Payroll Taxes, etc.	4,851.24	11,025.92	6,174.68	56.00 %
7260 Payroll Processing & Fees	356.00	500.00	144.00	28.80 %
7270 Workers Comp Insurance	511.03	500.00	-11.03	-2.21 %
Total 7200 Salaries & Related Expenses	71,035.44	116,426.30	45,390.86	38.99 %
Total Expenses	1,585,702.08	3,056,746.08	1,471,044.00	48.12 %
NET OPERATING INCOME	-112,840.11	-1,511,906.08	-1,399,065.97	92.54 %
NET INCOME	\$ -112,840.11	\$ -1,511,906.08	\$ -1,399,065.97	92.54 %

ATTACHMENT D



Private BMP Incentive Program Funding Agreement

This Private BMP Incentive Program Funding Agreement ("**Agreement**"), dated as of December 4, 2023, is entered into by and between **75 Darling Preble Street, LLC**, a Maine limited liability company, with offices located at 55 Preble Street, Portland, Maine 04101 ("**Participating Landowner**") and the **Long Creek Watershed Management District**, a quasi-municipal, special purpose district established as a separate legal entity and instrumentality and body corporate and politic under the laws of the State of Maine, with a mailing address of 35 Main Street, Suite 3, Windham, Maine 04062 ("**LCWMD**").

WHEREAS, LCWMD has requested proposals in its *Long Creek Private BMP Incentive Program* ("**Program**") Request for Proposals dated August 8, 2023, under which Participating Landowners were invited to apply for funds to undertake activities that will improve water quality in Long Creek, attached hereto as **Exhibit A**;

WHEREAS, Participating Landowner has submitted a Private BMP Incentive Program Proposal Form dated October 3, 2023, for an award of funding under the Program (the "**Proposal**"), attached hereto as **Exhibit B**; and

WHEREAS, LCWMD desires to award funding to Participating Landowner for engineering costs for the Preble Street Commercial Kitchen permeable paver project ("**Project**") identified in the Proposal as set forth in LCWMD's Award Letter to Participating Landowner, attached hereto as **Exhibit C**;

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth in this Agreement and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Participating Landowner and LCWMD (hereinafter, collectively, the "**Parties**", or each, individually, a "**Party**") agree as follows:

- A. **Purpose:** LCWMD's Board of Directors has approved an award of funding to Participating Landowner to implement the design phase of the Project identified in Participating Landowner's Proposal that will abate stormwater pollution at the site(s) described in Participating Landowner's Proposal.
- B. **LCWMD agrees to:** Reimburse Participating Landowner an amount of up to \$6,060.00, which reflects 100% of the design phase cost of the Project identified in Participating Landowner's Proposal.
- C. **Participating Landowner agrees to:**
 1. Design the Project described and detailed in Participating Landowner's Proposal.
 2. Ensure that any required permits are acquired prior to commencing implementation of the Project.
 3. Submit an application for the construction phase of the Project no later than June 30, 2024, unless extended in writing by both parties.

4. Provide LCWMD with documentation of all direct and indirect expenses, reimbursable staff time, and financial support from other sources that were relied on for the award of the funds.
5. Allow LCWMD access to the Project site for a period of five years from the date of Substantial Completion to monitor the effectiveness of the Project and to ensure that any required maintenance is performed in accordance with the maintenance provisions identified in the Proposal.
6. Perform any required maintenance of the Project in accordance with the maintenance provisions identified in the Proposal.

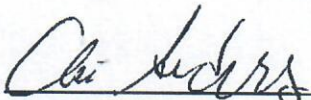
D. Payment:

1. LCWMD will reimburse Participating Landowner for the agreed upon amount upon the applicant submitting a complete application for the construction phase of the Project.
2. If the actual Project design cost is less than the Project design cost identified in Participating Landowner's Proposal, the payment due from LCWMD will be reduced to the agreed upon percentage of total Project design cost (stated in paragraph B above) applied to the actual Project design cost.


- E. Amendments:** If necessary, the parties may mutually agree to amend this Agreement. Participating Landowner will notify LCWMD, in advance, regarding proposed changes to this Agreement or the Project design and/or specifications or cost estimate. Changes to this Agreement must be documented in writing, signed by the parties, and attached to this Agreement.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed as of the Effective Date by their respective authorized officers.

75 DARLING PREBLE STREET, LLC

By: 
Christopher Saunders
Its: Vice President of Operations

LONG CREEK WATERSHED MANAGEMENT DISTRICT

By: 
Peter J. Carney
Its: Executive Director

ATTACHMENT E

Long Creek Watershed Management Plan Outline

Administration				
2025	2026	2027	2028	2029
Accounting				
Insurance (General Liability, Public Officials Liability, Workers Compensation)				
Corporation Filings				
Financial Audit				
Construction				
Large Basin Restoration (storage)		Large Basin Restoration (storage)		
Private BMP Incentive Program	Private BMP Incentive Program	Private BMP Incentive Program	Private BMP Incentive Program	Private BMP Incentive Program
Stream Restoration				
Long Term Stream Corridor Management Plan				
BMP Inspection and Maintenance				
BMP Inspection and Maintenance				
Landscaping				
Non-Structural				
Refine Watershed Boundary; Reconcile GIS Figures; New NOIs				
Expert Review Panel				
Pavement Sweeping				
Catch Basin Cleaning				
Parcel Inspections				
Land Use Policy (e.g. Chapter 500, Municipal Ordinances, New Development, Redevelopment)				
Sustainable Winter Management (SWiM)				
Monitoring				
Water Quality Monitoring				
Hydrology and Flow Monitoring				
Biomonitoring			Biomonitoring	
Habitat Assessment			Habitat Assessment	
		Fish Monitoring		