

KENNEBUNK SEWER DISTRICT BOARD OF TRUSTEES  
MONTHLY MEETING, JANUARY 22, 2019

The Board of Trustees of the Kennebunk Sewer District held its regular monthly meeting on Tuesday, January 22, 2019 in the conference room at the District Offices located at 44 Water Street in Kennebunk.

Trustees present were:     John E. **Price III**, Chairman  
                                  Wayne A. **Brockway**, Treasurer  
                                  James A. **Oppert**, Clerk  
                                  Arnold H. **Reim**

Trustees absent were:     Mark K. **Allenwood**, Vice Chairman

KSD Staff present was:    Michael **Bolduc**, KSD District Manager  
                                  Chris **Gallant**, KSD Assistant Manager

Others present were:     Bradley C. **Morin**, Attorney, Bourque Clegg Causey & Morin LLC  
                                  Colin B. **Reilly**, Attorney, Bourque Clegg Causey & Morin LLC

**AGENDA:**

1. Reading of the Minutes for the December 4, 2018 Monthly Meeting
2. Public Comment

**Unfinished Business**

3. Review and Adoption of the District Bylaws
4. Review and Approve Annual Updates for the District's Accounting Systems Operation Manual

**New Business**

5. Executive Session: Personnel Matters – Employee Evaluations
6. Executive Session: Legal Matters
7. Other Business...
8. Adjournment

The meeting was called to order by Chairman **Price** at 7:00 p.m.

Having no objection from the Board members, and in consideration of legal representatives present for executive session, Chairman **Price** moved ahead to agenda item #6.

**Agenda Item #6:** Executive Session: Legal Matters

Chairman **Price** asked for a motion to enter Executive Session.

**At 7:02 p.m. a motion was made to enter into Executive Session to discuss: legal matters, pursuant to [M.R.S.A. Chapter 18, Subchapter 1, §405 (6) (e)].**

**MOVED:           Brockway**

**SECONDED:     Oppert**

**DISCUSSION:   None.**

**MODS:           None.**

**VOTE:           4 for, 0 opposed; the motion carried.**

Chairman **Price** asked for a motion to come out of Executive Session.

**At 7:41 p.m. a motion was made to come out of Executive Session with no action taken.**

**MOVED: Brockway**  
**SECONDED: Oppert**  
**DISCUSSION: None.**  
**MODS: None.**  
**VOTE: 4 for, 0 opposed; the motion carried.**

Having no objection from the Board members, and in consideration of legal representatives present for District Bylaws review, Chairman **Price** moved back to agenda item #3.

**Agenda Item #3:** Review and Adoption of the District Bylaws

Referring to the January 22, 2019 Trustee's Meeting hand out Attachment #5 (Kennebunk Board of Trustees Bylaws), Attorney Bradley C. **Morin** reviewed the Board's comments, corrections, revisions, and/or additions. His evaluation included the following remarks and highlights:

- The document contained no unlawful items;
- The Indemnification section was updated according to the specific state statute for employee claims;
- Additional clarification regarding current or former Trustees needs to be included in the Indemnification section; and
- Individual coverage for HR claims, civil lawsuits, and sexual harassment issues were discussed.

Attorney **Morin** agreed to modify the Indemnification section to reflect current or former Trustees and individual liability issues.

**Brockway** asked for clarification regarding the ability to conduct an "Executive Session" during an emergency (one day notice) meeting.

Attorney **Morin** replied that an "Executive Session" can be conducted during any meeting.

There being no further comments to come before the Board regarding this agenda item, Chairman **Price** asked for a short break.

At 7:59 p.m. all present agreed to suspend further business for a short break.

At 8:11 p.m. all present agreed to reconvene the meeting.

Chairman **Price** moved back to agenda item #1.

**Agenda Item #1:** Reading of the Minutes for the December 4, 2018 Monthly Meeting

a) Minutes for December 4, 2018

Dispensing with a reading of the minutes, Chairman **Price** asked the Board for comments regarding the minutes of the December 4, 2018 monthly meeting.

There being no corrections, revisions, or additions to come before the Board regarding this agenda item, Chairman **Price** asked for a motion.

**A motion was made to accept the minutes of December 4, 2018 as submitted.**

**MOVED: Oppert**  
**SECONDED: Reim**  
**DISCUSSION: None**  
**MODS: None**  
**VOTE: 3 for, 1 abstained (Brockway), 0 opposed; the motion carried.**

Chairman **Price** moved to the next agenda item.

**Agenda Item #2:** Public Comment

Chairman **Price** opened the meeting to the public for comment.

There being no representative from the public present, Chairman **Price** closed the meeting for public comment, noted received correspondence, and moved ahead to agenda item #4.

**Agenda Item #4:** Review and Approve Annual Updates for the District's Accounting Systems Operation Manual

Referring to Agenda Item Commentary of the January 22, 2019 Trustee's Meeting hand out and Attachment #6 (Second Draft of the Accounting Systems Operation Manual), **Bolduc** reported that minor changes and edits appear on pages 27, 36, and 37.

**Brockway** submitted a correction for the missing "Petty Cash" reference section number on page 29.

**Reim** submitted a correction for double word "insure" in section 4.1 "Data Backup" on page 28. **Brockway** added that the correct word should be "ensure".

There being no further comments to come before the Board regarding this agenda item, Chairman **Price** asked for a motion.

**A motion was made to approve the Accounting Systems Operation Manual as amended including formatting changes to be provided by Board Member Brockway.**

**MOVED:** Oppert  
**SECONDED:** Brockway  
**DISCUSSION:** None  
**MODS:** None  
**VOTE:** 4 for, 0 opposed; the motion carried.

Having no objection from the Board members, and in consideration of executive session, Chairman **Price** moved ahead to agenda item #7.

**Agenda Item #7:** Other Business...

**1. Manager's Report for December 2018**

**Bolduc** provided a summary of selected items from the Manager's Report as detailed in Attachment #2 (Manager's Report), of the January 22, 2019 Trustee's Packet. His comments included the following topics and highlights:

**FINANCIAL AND ADMINISTRATIVE**

**Account Billing Software**

- Fourth quarter billing went out using the new billing program with no known errors.

In order to uncover any errors that may occur with annual events such as liens, **Reim** recommended that a complete billing cycle be evaluated using the new program, with a parallel backup plan available, before it is fully implemented.

All present agreed.

Continuing his summary, **Bolduc** provided a review of the following topics and highlights

#### **Strategic Plan**

- A meeting of KSD Staff together with the Trustees is needed to collect their input for the plan; and
- The month of March was selected for scheduling the meeting.

#### **Finance**

- An interim financing document will be ready to sign tomorrow (Wednesday, January 23, 2019). The document will need signatures by:
  - John E. **Price III**, Chairman;
  - Wayne A. **Brockway**, Treasurer;
  - James A. **Oppert**, Clerk;
- The document will be due back by Wednesday, January 30, 2019.

#### **EQUIPMENT ISSUES**

##### **Step Screen**

- Repair parts have not been received yet, they are scheduled to be shipped from Sweden on January 28, 2019.

#### **COLLECTION SYSTEMS**

##### **Boothby Road Pump Station**

- The faulty check and shut off valves have been upgraded and the station is up and operational.

##### **Beach Street Back up**

- KSD is planning to work out some mutual agreement with the owners on how the line can be cleaned in the future.

##### **Problems with BOD testing**

- Staff has been able to pass the last three BOD tests;
- Sample bottles are being acid washed; and
- Ongoing troubleshooting points to saturation levels in the source water.

#### **SAFETY**

- 1<sup>st</sup> quarter safety training schedule is in progress; and
- Safety walkthroughs are ongoing.

#### **2019 CAPITAL IMPROVEMENT PROJECTS**

##### **Phase 1b Headworks Project**

- Equipment selection has been finalized;
- Design is 20% to 25% complete;
- Design completion and bidding is planned for September – October 2019; and
- A new schedule will be available for the next meeting.

##### **Pumping Station & Collection Systems Capital Improvements**

- **Replacement of Wet Well Covers**
  - Scheduled for completion this week.
- **Replacement of the Jet Rodder**
  - Equipment has been ordered.

- **Water Street Sewer**
  - A consultation is planned with BREX Corp. to repair the Factory Pasture Lane sewer silting issue where it connects at Water Street.
- **SCADA Software and Programming for the Pumping Stations**
  - Design work for SCADA system implementation during the headworks upgrade is ongoing; and
  - All of the existing equipment will be reprogrammed prior to the headworks starting.

## 2018 PROJECTS

### Waterford Green

- Landscaping and fence installation will be completed in the spring.

### Storer Street

- Downstream invert to be completed in the spring.

## 2. Lime Tank Mixer

**Bolduc** reported that the lime tank mixer has been removed in order to replace the belt press brushes. The mixer will remain out for disposal.

There being no further discussion to come before the Board regarding this issue, Chairman **Price** moved back to agenda item #5.

### **Agenda Item #5:** Executive Session: Personnel Matters – Employee Evaluations

Chairman **Price** asked for a motion to enter Executive Session.

**At 8:40 p.m. a motion was made to enter into Executive Session to discuss: Non-Union Personnel evaluations, pursuant to [M.R.S.A. Chapter 18, Subchapter 1, §405 (6) (A)].**

**MOVED: Brockway**  
**SECONDED: Oppert**  
**DISCUSSION: None.**  
**MODS: None.**  
**VOTE: 4 for, 0 opposed; the motion carried.**

Chairman **Price** asked for a motion to come out of Executive Session.

**At 9:20 p.m. a motion was made to come out of Executive Session.**

**MOVED: Brockway**  
**SECONDED: Oppert**  
**DISCUSSION: None.**  
**MODS: None.**  
**VOTE: 4 for, 0 opposed; the motion carried.**

Chairman **Price** asked if any motions were desired as a result of the Executive Session.

**A motion was made to approve the Manager's recommendation for non-union staff.**

**MOVED: Brockway**  
**SECONDED: Oppert**  
**DISCUSSION: None.**  
**MODS: None.**  
**VOTE: 4 for, 0 opposed; the motion carried.**

**A motion was made to approve the Manager's evaluation as discussed in Executive Session.**

**MOVED: Oppert**

**SECONDED: Brockway**

**DISCUSSION: None.**

**MODS: None.**

**VOTE: 3 for, 1 abstained (Reim), 0 opposed; the motion carried.**

There being no further motions to come before the Board regarding this issue, Chairman **Price** moved ahead to agenda item #8.

**Agenda Item #8: Adjournment**

There being no further business to come before the Board at this time Chairman **Price** asked for a motion to adjourn.

**A motion was made to adjourn the meeting at 9:23 p.m.**

**MOVED: Oppert**

**SECONDED: Reim**

**DISCUSSION: None.**

**VOTE: 4 for, 0 opposed; the motion carried.**

Date Signed \_\_\_\_\_

James A. Oppert, Clerk \_\_\_\_\_

**KSD Board of Trustee Monthly Meeting Action Items History List**

<b><u>Request Date</u></b>	<b><u>Action Item</u></b>
<b>Date</b>	Agenda Item #__: Topic_____; Description _____.