

KENNEBUNK SEWER DISTRICT BOARD OF TRUSTEES  
MONTHLY MEETING, JULY 12, 2016

The Board of Trustees of the Kennebunk Sewer District held its regular monthly meeting on Tuesday, July 12, 2016 in conference room of the District Offices located at 71 Water Street in Kennebunk.

Trustees present were:     John E. **Price III**, Chairman  
                                  Mark K. **Allenwood**, Vice Chairman  
                                  James A. **Oppert**, Clerk  
                                  Wayne A. **Brockway**, Treasurer  
                                  Edward **Sharood**, Member

KSD Staff present was:     Michael **Bolduc**, KSD District Manager  
                                  Patrick **Wiley**, PhD, KSD Assistant Manager

Others present were:       W. Steven **Clifton**, P.E., Vice President, Underwood Engineers, Inc.  
                                  Kevin **Reilly**, President, Benchmark Construction

AGENDA:

1. Reading of the Minutes for the June 7, 2016 Monthly Meeting
2. Report from Underwood on the Final Conceptual Plans for the Plant Upgrade
3. Report on Recent Meeting with the Maine Department of Environmental Protection Regarding NPDES License Limitations on Total Nitrogen (TN)
4. Award Contract for the Construction Manager for the Administration and Maintenance Building
5. Approval of the K&E Building Request for Proposals for PCB and Asbestos Remediation
6. Executive Session: Labor Negotiations MSRA § 405(6) (d)
7. Other Business...
8. Adjournment

The meeting was called to order by Chairman **Price** at 6:58 p.m.

Election of officers

**Price** asked for input from the Board.

**A motion was made to maintain the current slate of Board of Trustees officer positions.**

**MOVED:           Oppert**

**SECONDED:       Allenwood**

**DISCUSSION:     None**

**MODS:            None**

**VOTE:            5 for, 0 opposed, the motion carried**

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

Agenda Item #1: Reading of the Minutes for the June 7, 2016 Monthly Meeting

**Price** dispensed with the reading of the minutes and asked the Board for comments regarding the minutes for the regular monthly meeting held on June 7, 2016.

**Oppert** submitted the following correction:

- Page 2, Item #2, 6<sup>th</sup> paragraph, line 1: "council" should read "counsel".

There being no further discussion or comments to come before the Board regarding this issue, **Price** asked for a motion.

**A motion was made to accept the minutes of June 7, 2016 as amended.**

**MOVED:** Oppert  
**SECONDED:** Sharood  
**DISCUSSION:** None  
**MODS:** As noted  
**VOTE:** 5 for, 0 opposed; the motion carried.

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

Agenda Item #2: Report from Underwood on the Final Conceptual Plans for the Plant Upgrade

**Bolduc** introduced Steven **Clifton**, P.E., Underwood Engineers, Inc and asked for his comments.

Clifton provided the following review:

- Based upon the peer review report and subsequent meetings and calls the finalized facility plan has been concluded;
- To ensure that KSD maintains their eligibility for the SRF program, a preface letter containing the peer review report as part of the facility plan documents will be provided to the Maine DEP; and
- Maine DEP has assured Underwood that the preface letter will be accepted.

**Bolduc** recommended moving to agenda item number 3.

**Price** agreed and moved to the next agenda item.

Agenda Item #3: Report on Recent Meeting with the Maine Department of Environmental Protection Regarding NPDES License Limitations on Total Nitrogen (TN)

Referring to Attachment #4 (Agenda Item Commentary) of the July, 2016 Trustee's Meeting Packet, **Bolduc** summarized the details of Attachment # 6 (Memo from MEDEP on NPDES license with regards to TN - a. Minutes from the Meeting with the MEDEP on June 22, 2016 on TN Limits). Discussions of the subject included the following topics and highlights:

**Bolduc** confirmed that Staff attended a meeting with Maine DEP.

A discussion developed regarding the comments from the meeting.

2 weeks prior to the meeting, EPA provided MEDEP with draft language EPA wanted inserted into our permit regarding TN (total nitrogen) in the Mousam River.

The Federal EPA was looking for the state to set a limit for TN (total nitrogen) in estuaries.

Without sufficient scientific basis, the EPA language (worded to sound like it came from MEDEP) adopted a TN limit of .45 milligrams per liter based on best judgment.

A standard 5 year license will be issued.

During the license period, MEDEP may be doing some water quality sampling/testing in the Mousam, but KSD will be monitoring and reporting effluent TN.

A draft permit will be issued within the next 30 to 60 days.

**Bolduc** projected that the preliminary design report will be delayed for a couple of months in order to review the draft permit and suggested conducting a workshop after reviewing the permit contents.

There being no further discussion or comments to come before the Board regarding this issue, **Price** asked for a motion.

**A motion was made to direct the district manager to work on an agreement with Brown & Caldwell and Underwood Engineers to develop a scope and cost.**

**MOVED:** Oppert  
**SECONDED:** Sharood  
**DISCUSSION:** None  
**MODS:** None  
**VOTE:** 4 for, 0 opposed, 1 abstained (Allenwood); the motion carried.

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

Agenda Item #4: Award Contract for the Construction Manager for the Administration and Maintenance Building

Referring to Attachment #4 (Agenda Item Commentary) of the July, 2016 Trustee's Meeting Packet, **Bolduc** summarized the details of Attachment # 7 (Request for Proposals Bid Results and Recommendation for Construction Management Services for K&E site). Discussions of the subject included the following topics and highlights:

**Bolduc** reported that:

- RFP's were sent out to 5 bidders;
- 2 called back to report they were not interested;
- 2 did not respond; and
- A single bid was received from Benchmark Construction which became the project's low bidder by default.

**Bolduc** introduced Kevin **Reilley**, Benchmark Construction and ask the board if they had any questions.

**Brockway** asked **Reilley** if he thought there might be any potentially big unknowns.

**Reilley** responded that based on his knowledge of the site and discussions with KSD Staff, he foresaw no potential problems.

**Bolduc** recommended awarding the Construction Manager contract for construction of the Administration and Maintenance Building to Benchmark Construction.

**Bolduc** opened a discussion regarding Architect selection and recommended Joseph **DiDonato**, AIA, Principal, Didonato Architects, INC for the Administration and Maintenance Building project Architect.

**Reilley** gave **DiDonato** a favorable recommendation.

**Price** recommended setting up the project to bundle all of the Consultants together utilizing separate contracts under the Architect.

**Bolduc** commented that he had a meeting scheduled with **Reilley** and **DiDonato** on Friday.

There being no further discussion or comments to come before the Board regarding this issue, **Price** asked for a motion.

**A motion was made to authorize the manager to sign a contract with Benchmark Construction to act as the Construction Manager for the KSD Administration and Maintenance Building project.**

**MOVED:** Brockway

**SECONDED:** Sharood

**DISCUSSION:** None.

**MODS:** None.

**VOTE:** 5 for, 0 opposed; the motion carried.

**A motion was made to authorize the manager to negotiate with Joseph DiDonato, AIA, Principal, Didonato Architects, INC to develop a scope of services for the September meeting.**

**MOVED:** Allenwood

**SECONDED:** Oppert

**DISCUSSION:** None.

**MODS:** None.

**VOTE:** 5 for, 0 opposed; the motion carried.

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

Agenda Item #5: Approval of the K&E Building Request for Proposals for PCB and Asbestos Remediation

Referring to Attachment #4 (Agenda Item Commentary) of the July, 2016 Trustee's Meeting Packet, **Wiley** summarized the details of Attachment # 8 (Request for Proposals on the Environmental Remediation for PCB's and Asbestos on the K&E Building).

Discussions of the subject included the following topics and highlights:

- The effort was separated into two parts due to the specialization of each;
- The order of completion and schedule was detailed as follows:
  - 1) PCB removal, three weeks;
  - 2) Dismantling the roof and asbestos removal, two weeks; and
  - 3) Building demolition.

**Price** asked if the equipment owner has been notified of the project plan and schedule.

**Bolduc** replied in the negative, adding that the equipment owner (**Gelardi**) will have 30 days to remove his equipment and material.

When asked if the insurance requirements had been checked, **Bolduc** replied in the affirmative.

A discussion developed regarding insurance limits and the possible need for higher limits due to the nature of the work.

Increased coverage was recommended for pollution liability.

The RFP is being sent to five firms for asbestos removal and four firms for the PCBs. All nine firms are separate companies.

**Bolduc** noted that the work cannot be accomplished concurrently.

There being no further discussion or comments to come before the Board regarding this issue, **Price** asked for a motion.

**A motion was made to send out requests for proposals for PCB remediation and for asbestos abatement as proposed by staff.**

**MOVED: Oppert**

**SECONDED: Sharood**

**DISCUSSION: None.**

**MODS: None.**

**VOTE: 5 for, 0 opposed; the motion carried.**

**Price** asked **Bolduc** if the tenants have been notified as to when they need to vacate the building.

**Bolduc** replied in the negative, commenting that he would send a letter to the equipment owner (**Gelardi**) to remind him of the lease ending agreement and when they need to vacate.

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

Agenda Item #7: Other business...

### **Manager's Report for July 2016**

**Bolduc** provided a summary of selected items from the Manager's Report as detailed in Attachment #2 (Manager's Report for July 2016), of the July, 2016 Trustee's Packet. His comments included the following topics and highlights:

- Financial and Administrative:
  - GIS:
    - ✓ The intern is working on the system 4 days per week during the summer;
    - ✓ **Wiley** is working with the new Pipetech software which will allow collection systems criticality assessments and will include a tie in with the video inspections that have been completed; and
    - ✓ **Wiley** explain the details of how Pipetech integrates with GIS.
  - Personnel Issues:
    - ✓ Lab Technician Maurice **Bedard** returned to work after foot surgery.

- **Equipment Issues:**
  - **Solid Waste Disposal Issues:**
    - ✓ Casella has assumed their contract for soil prep and KSD has seen no change in service; and
    - ✓ A meeting is scheduled with the “Sludge Cartel” to discuss option for the new contract.
  - **Operational Issues:**
    - ✓ **Wiley** has been experimenting with pump station odor control;
    - ✓ Cleaning and the addition of Sodium Hydroxide seem to have the largest impact on the odor causing Hydrogen Sulfide;
    - ✓ One drop manhole downstream of Lake Brook Pump Station has deteriorated to the point of replacement;
    - ✓ It is 13 feet deep and located on Western Avenue;
    - ✓ Replacement estimates run as high as \$20,000;
    - ✓ Staff is waiting on a report from Ted **Berry** before deciding what action is recommended; and
    - ✓ Brex Corporation is evaluating on site and Staff expects to have an estimate for presentation at the next meeting.
  - **Digitalization Effort:**
    - ✓ **Bolduc** reported that a plotter scanner can be rented for \$138 per month;
    - ✓ The critical issue for KSD is available location space;
    - ✓ Renting the equipment permanently seems to be the best option;
    - ✓ The rental fee does not include the ink or the media;
    - ✓ The effort is on hold until a location space is identified.
- **Safety:**
  - **Wiley** conducted training last week; and
  - **Wiley** reported that the new safety davits need to be bolted to the ground and Underwood Engineers Inc. is looking at the issue to determine a resolution.
- **2016 Capital Improvement Projects:**
  - **Doanes Beach, and Grove:**
    - ✓ The Doanes Beach project is complete except for ground cover growth.
  - **Brown Street:**
    - ✓ Due to a required service upgrade, the cost of the electrical work for the Brown Street project will be higher than expected;
    - ✓ The plan is to complete the design work, purchase the panel, and complete the installation next year using the Brown Street project’s budget for next year ;
    - ✓ Upgrading the service is expected to cost \$4,000 to \$5,000; and
    - ✓ The budget is on target as of the end of June with 47% expenses and 49% Revenue.

**Price** asked for a report on the sewer back up at Powder Mill.

**Bolduc** reported that:

- The employees were lax in their twice weekly pump station inspections;
- Operator negligence resulted in the pump operating in float mode for a prolonged period of time causing float switch failure;
- When the switch fails and the backup begins, no alarm is given because float mode had been engaged;
- Resolution of the problem consisted of the following suggestions:
  - Putting the alarms on timers so float mode will automatically revert back to normal mode after a defined time period;
  - Providing an indicator light on the panel showing that the station float mode has been activated;

- Notifying the chief operator when float mode is activated and maintaining a list of float mode activations; and
- Conducting more thorough inspections of the pump stations.
- The float switch failed due to inferior switch quality;
- The failed switch was replaced with an identical model switch and it failed within a few days;
- All of the other stations have been checked for the same inferior quality float switch;
- New better quality switches have been obtained;
- The inferior quality float switches are no longer used; and
- Cleanup of the overflow has been completed with no complaints being received.

Price moved back to agenda item #6.

Agenda Item #6: Executive Session: Labor Negotiations MSRA § 405(6) (d)

Price asked for a motion to enter Executive Session.

**At 8:28 p.m. a motion was made to enter into Executive Session for the purpose of discussing labor negotiations with Teamster Unit 340 pursuant to MSRA § 405(6)(d).**

**MOVED: Sharood**  
**SECONDED: Oppert**  
**DISCUSSION: None.**  
**MODS: None.**  
**VOTE: 5 for, 0 opposed; the motion carried.**

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

**At 8:54 p.m. a motion was made to come out of Executive Session.**

**MOVED: Oppert**  
**SECONDED: Brockway**  
**DISCUSSION: None.**  
**MODS: None.**  
**VOTE: 5 for, 0 opposed; the motion carried.**

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

**A motion was made to instruct the manager to negotiate with the union as discussed in executive session.**

**MOVED: Oppert**  
**SECONDED: Brockway**  
**DISCUSSION: None.**  
**MODS: None.**  
**VOTE: 5 for, 0 opposed; the motion carried.**

Price moved ahead to agenda item #8.

Agenda Item #8: Adjournment

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

**A motion was made to adjourn the meeting at 8:56 p.m.**

**MOVED: Allenwood**  
**SECONDED: Brockway**  
**DISCUSSION: None.**  
**VOTE: 5 for, 0 opposed; the motion carried.**

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

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

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

<b><u>Request Date</u></b>	<b><u>Action Item</u></b>
<b>July 12, 2016</b>	Agenda Item #5: <u>Approval of the K&amp;E Building Request for Proposals for PCB and Asbestos Remediation</u> <b>Price</b> asked <b>Bolduc</b> if the tenants have been notified as to when they need to vacate the building. <b>Bolduc</b> replied in the negative, commenting that he would send a letter to the owner ( <b>Gelardi</b> ) to remind him of the lease ending agreement and when they need to vacate.
<b>June 7, 2016</b>	Agenda Item #6: <u>Other Business...</u> <b>Price</b> asked for a thank you letter to be sent to the Doanes Wharf project contractor for a job well done.
<b>June 7, 2016</b>	Agenda Item #6: <u>Other Business...</u> <b>Oppert</b> asked for a thank you letter to be sent to the residents of Doanes Wharf for their cooperation during the project.
<b>May 3, 2016</b>	Agenda Item #5: <u>Preliminary Review of the MEDEP Mousam River Estuary Modeling Report</u> <b>Price</b> asked for a Memorandum of Understanding summarizing the previous discussion why the decision was made to not use the David Dilks Mousam River Estuary Modeling Report dated April 8, 2016.
<b>Apr 5, 2016</b>	Agenda Item #5: <u>Discussion of Potential Lease Renewal Option at K&amp;E</u> <b>Price</b> requested a copy of the first lease agreement for KSD records.
<b>Feb 2, 2016</b>	Agenda Item #3: <u>Review of Rate Setting Options</u> <b>Brockway</b> asked if the rate projections graphs for each scenario could be superimposed on top of each other in order to see the differential. <b>Bolduc</b> replied in the affirmative. <b>Current Status: Not started</b>
<b>Jan 5, 2016</b>	Agenda Item #2: <u>Presentation on Building Construction Delivery Methods</u> In order for KSD to make sound scheduling decisions, <b>Bolduc</b> requested time durations for all components of the project. <b>Giguere</b> agreed to provide the necessary data. <b>Current Status: In progress -Waiting on time frames on environmental and staff input on sequencing</b>