

KENNEBUNK SEWER DISTRICT BOARD OF TRUSTEES
MONTHLY MEETING, JANUARY 7, 2020

The Board of Trustees of the Kennebunk Sewer District held its regular monthly meeting on Tuesday, January 7, 2020 in the conference room at the District Offices located at 44 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
Arnold H. **Reim**

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

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AGENDA:

Public Comment

New Business

1. Reading of the Minutes for the December 3, 2019 Monthly Meeting
2. Executive Session –Legal Matters
3. Executive Session – Personnel Matters

Unfinished Business

4. Sewer Connection Manual

Other Business a,b,c

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

Agenda Item – (New Business) #1: Reading of the Minutes for the December 3, 2019 Monthly Meeting

Dispensing with a reading of the minutes, Chairman **Price** asked the Board for comments regarding the minutes of the December 3, 2019 monthly meeting.

Clerk **Oppert** submitted the following correction:

- Page 3, Agenda Item (**Unfinished Business**) **a:**, 4th paragraph, line 1: “*treatment capabilities right for new*” should read “*treatment capabilities for new*”

Vice Chairman **Allenwood** submitted the following correction:

- Page 3, Agenda Item (**Unfinished Business**) **a:**, 4th paragraph, line 2: “*lower permanent limits*” should read “*lower permit limits*”

There being no further 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 3, 2019 as amended.

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

Having no objection from the Board members, and in consideration of executive session, Chairman **Price** moved ahead to Agenda Item #4.

Agenda Item – (Unfinished Business) #4: Sewer Connection Manual

Chairman **Price** asked for any further corrections, revisions, or additions to the Sewer Connection Manual.

Treasurer **Brockway** submitted the following correction:

- Page 24, Section 1, 2nd last paragraph, Line 1, “*Registry of Deed*” should read “*Registry of Deeds*”
- Page 26, Section 3.1, 5th paragraph, Line 1, “*connections to the to the sewer*” should read “*connections to the sewer*”
- Page 27, Section 4.1.2, 3rd paragraph, Line 2, “*to obtain necessary Building Permit*” should read “*to obtain a necessary Building Permit*”
- Page 27, Section 4.1.2, 6th paragraph, Line 2, “*and ten (10) days for*” should read “*and ten (10) business days for*”
- Page 28, Section 5.1, 3rd paragraph, Line 3, “*gas, cable, and phone*” should be added as a utility to be notified
- Page 30, Section 7.2, 1st paragraph, Line 2, “*permissible in the alley alley only*” should read “*permissible in the alley only*”
- Page 30, Section 7.2, 3rd paragraph, Line 1, “*KSD inspector will notify the*” should read “*KSD inspector shall notify the*”

Chairman **Price** recommended accepting the document as amended, entering the new changes, and putting the document on record.

A motion was made to accept the Sewer Connection manual as amended.

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

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

Agenda Item – (Other Business) a: Manager’s Report for January 2020

District Manager **Bolduc** provided a summary of selected items from the Manager’s Report as detailed in Attachment #2 (Manager’s Report for January 2020), of the January 7, 2020 Trustee's Packet. His comments included the following topics and highlights:

FINANCIAL AND ADMINISTRATIVE

EBIF & Turnpike Zone Impact Fees

- Staff recommended increasing the line size from 10” to 12” and upgrading to a stronger material in the fill area of the turnpike service plaza construction zone.

Personnel

- Shelby **Carver** has returned to work from medical leave; and
- The first meeting with the Union was held on December 17th.

Insurances

- A Staff meeting with Woodard and Curran was conducted as planned.

EQUIPMENT ISSUES

RBC boiler

- Repairs are in progress;
- Cost is estimated to be \$6,000 to \$7,000.

RBC Media

- Material is on order.

Polymer System

- Status unchanged.

HVAC Issues

- 90% complete.

Operational Issues

- A larger wet well and an additional pump are necessary to accommodate the increased flow during storm events that generate peak flows in excess of 5.0 MGD. This change will be incorporated into the new headworks design criteria.

COLLECTION SYSTEMS

Air release valves preventive maintenance has been completed.

2019 CAPITAL IMPROVEMENT PROJECTS

Phase 1b Headworks Project Design (64% Expended, 90% complete)

- On track.

Replacement of Wet Well Covers (0% Expended, 0% complete)

- Work is expected to be delayed until March.

Doanes Wharf Generator

- On hold, no new status update available.

Asset Management Upgrade

- The contractor has started work on the project.

Storer Street

- Waiting for BREX to return and replace an invert.

Agenda Item – (Other Business) b: Water District Data

Treasurer **Brockway** reported that the Water District data will be supplied to Ray **Corson** this week.

Chairman **Price** moved back to Agenda Item Public Comment.

Agenda Item – Public Comment

Chairman **Price** asked for public comment.

District Manager **Bolduc** reported that no public comments have been received.

There being no further discussion regarding public comment, Chairman **Price** moved ahead to agenda item (Other Business) c:

Agenda Item – (Other Business) c: Sewer Connection Permit Fee

Treasurer **Brockway** noted that the previous motion and vote on the Sewer Connection manual (Agenda Item #4) did not address the inspection fee.

Chairman **Price** recommended addressing the inspection fee as a separate motion.

A motion was made to approve a Sewer Connection Permit Fee of \$75.00 effective March 1, 2020.

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

There being no further business to come before the Board regarding this issue, Chairman **Price** moved back to Agenda Item # 2.

Agenda Item – (New Business) #2: Executive Session – Legal Matters

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

At 7:16 p.m. a motion was made to enter into Executive Session to discuss: Legal Matters, Pursuant to [M.R.S.A. Chapter 13, Subchapter 1, §405 (6) (E)].

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

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

At 7:43 p.m. a motion was made to adjourn Executive Session.

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

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

At 7:44 p.m. a motion was made to direct the District's attorney to proceed with dismissal of the Insurance lawsuit with prejudice.

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

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

Agenda Item – (New Business) #3: Executive Session – Personnel Matters

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

At 7:53 p.m. a motion was made to enter into Executive Session to discuss Union negotiations, Pursuant to [M.R.S.A. Title 1: General Provisions, Subchapter 1, §405 (6) (A) and (6) (D)]

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

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

At 8:11 p.m. a motion was made to come out of Executive Session with no action taken.

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

At 8:11, the only people left in the room were the Trustees, District Manager and Asst. Manager. At this time, the Board asked the District Manager and Asst. Manager to vacate the room so the Board could conduct the Manager's annual performance evaluation. The District Manager and Asst. Manager vacated the room with the District Manager staying on the premises, and the Asst. Manager departing the premises. Because the room was vacant, no formal motion to go into Executive Session was made. The Board discussed the Manager's review and reached a consensus. The board also discussed the need for a better way to evaluate the District Managers performance with a goal of having something in place before next year. The discussion finished shortly before 9:17 at which time the Manager was asked to come back in the room. Thus, no formal motion was made to come out of Executive Session either.

Chairman **Price** moved ahead to Agenda Item # 5.

Agenda Item – (Other Business) #5: 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 9:17 p.m.

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

Date Signed _____

James A. Oppert, Clerk _____

KSD Board of Trustee Monthly Meeting Action Items History List

<u>Request Date</u>	<u>Action Item</u>
April 2, 2019	Agenda Item (New Business) #3 : Topic: <u>Discussion on Impact Fees</u> ; Description: <u>Ongoing impact fee recalculation</u> .
December 3, 2019	Agenda Item (New Business) #3 : Topic: <u>Account Systems Operation Manual Annual Updates</u> ; Description: <u>Security/encryption details of backup records stored off-site</u> .
Date	Agenda Item # __: Topic _____; Description _____.