

KENNEBUNK SEWER DISTRICT BOARD OF TRUSTEES  
MONTHLY MEETING, JANUARY 3, 2023

The Board of Trustees of the Kennebunk Sewer District held its regular monthly meeting on Tuesday, January 3, 2023, in the conference room at 44 Water Street.

Trustees present                      John E. **Price** III, Chairman  
   James A. **Oppert**, Vice Chairman  
   Wayne A. **Brockway**, Treasurer  
   Patrick **Wiley**, Clerk  
   Jason **Wise**, Trustee

KSD Staff present                      Chris **Gallant**, KSD District Manager

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**AGENDA:**

**Unfinished Business**

**New Business**

1. Minutes of the December 6, 2022, Board of Trustee Meeting
  2. Review Account System Manual
  3. Review Billing Policy
  4. Power Supply Options (Maine Net Energy Billing)
  5. Manager's Report
  6. Adjournment
- .....

The meeting was called to order by Chairman **Price** at 7:03 PM.

**Agenda Item – (Unfinished Business) #1: Union Contract Agreement**

District Manager **Gallant** reported that he left a message for Bradley **Morin**, the District's attorney, regarding union contract wording as stated in the action item. Staff expects a reply in the coming week.

Trustee **Wise** asked if the Town of Kennebunk has provided any comment on the district boundary lines in West Kennebunk.

Regarding the Town of Kennebunk providing any comment, District Manager **Gallant** replied in the negative; however, he reported that Bradley **Sawyer**, Deputy Director, MRWA (Maine Rural Water Association) informed KSD that Sen. Joe **Rafferty**, D-Kennebunk, Senate District 34, has accepted sponsorship of the bill for changing the charter for District boundaries and that the town is aware that they must have a vote in order to have KSD support.

**Agenda Item – (New Business) #2: Minutes of the December 6, 2022, Board of Trustees Meeting**

Dispensing with a reading of the minutes, Chairman **Price** asked the Board for comments regarding the monthly meeting minutes of December 6, 2022, contained in KSD Board of Trustees packet of Jan 3, 2023, Attachment 2.

Vice Chairman **Oppert** submitted the following corrections:

- Page 5 of 14, Item (**New Business**) #4: 1<sup>st</sup> paragraph, line 8: "A chart change" should read "A charter change"

- Page 5 of 14, Item (New Business) #4: 2<sup>nd</sup> last paragraph, line 4: “action needs to take soon” should read “action needs to be taken soon”
- Page 5 of 14, Item (New Business) #4: 2<sup>nd</sup> last paragraph, line 5: “language can be as less descriptive as possible” should read “language can be as vague as possible”
- Page 6 of 14, Item (New Business) #5: 4<sup>th</sup> paragraph, line 7: “some of the RBC pipe pieces” should read “some of the RBC pie pieces”

Treasurer **Brockway** submitted the following corrections:

- Page 3 of 14, Item (New Business) #2: 2<sup>nd</sup> paragraph, line 1: “Referring the instruction” should read “Referring to the instruction”
- Page 3 of 14, Item (New Business) #2: 2<sup>nd</sup> paragraph, line 2: “would checks ever by postdated” should read “would checks ever be postdated”

There being no further corrections, revisions, or additions to come before the Board regarding the monthly meeting minutes of December 6, 2022, Chairman **Price** asked for a motion.

**A motion was made to approve the minutes for the December 6, 2022, Monthly Meeting as amended.**

**MOVED:**       **Oppert**  
**SECONDED:**   **Wise**  
**DISCUSSION:** **None**  
**MODS:**       **As Noted**  
**VOTE:**        Chairman **Price, affirmative**  
                  Vice Chairman **Oppert, affirmative**  
                  Treasurer **Brockway, affirmative**  
                  Clerk **Wiley, affirmative**  
                  Trustee **Wise, affirmative**  
                  **5 in favor, 0 opposed; the motion carried.**

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

**Agenda Item – (New Business) #3: Review of the Account System Manual**

District Manager **Gallant** provided a summary of the two sections of the Account System Manual as presented in KSD Board of Trustees packet of Jan 3, 2023, and Attachment #3 (Account Systems Manual) that were updated at the last meeting. His comments included the following revisions to the document:

- Page 27 of 108: “Write-offs of \$1,000 or more of uncollectible receivables” replaces the statement “Write-offs of significant uncollectible receivables”
- Page 30 of 108: the statement “Checks are to be postdated only if necessary” has been deleted.

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

**A motion was made to approve the updated Account System Manual as presented.**

**MOVED:**       **Brockway**  
**SECONDED:**   **Oppert**  
**DISCUSSION:** **None.**  
**MODS:**       **None.**  
**VOTE:**        Chairman **Price, affirmative**  
                  Vice Chairman **Oppert, affirmative**  
                  Treasurer **Brockway, affirmative**  
                  Clerk **Wiley, affirmative**  
                  Trustee **Wise, affirmative**  
                  **5 in favor, 0 opposed; the motion carried.**

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

**Agenda Item – (New Business) #4:** Review of the Kennebunk Sewer District Billing Policy

District Manager **Gallant** provided a summary of the Kennebunk Sewer District Billing Policy as presented in KSD Board of Trustees packet of Jan 3, 2023, and Attachment #4 (Billing Policy). His comments included the following revisions to the document:

- Page 60 of 108: Topic **Sewer User Fees**: Added table of “Equivalent Debt Units”
- Page 60 of 108: Topic **Sewer User Fees**: “New homes without a previous year’s usage shall be set to 6,000 cubic feet of water. Homes with a well are set to 8,000 cubic feet of water”
- Page 68 of 108: Topic **Rate Determination**: Revised EBIF (Equity Buy In Fee) annual calculation and added table “2020 Equity Buy In Fee.”
- Page 69 of 108: Topic **Calculation of Quantity**: Updated “RESIDENTIAL DAILY USAGE” table and revised calculations for “Condominium units within a commercial property”
- Page 70 of 108: Topic **Change of Ownership or Change of Use**: Added “The credit cannot be refunded and must remain in the form of gallons only for future additional use.”
- Pages 71 thru 77 of 108: Added appendices A, B, and C, and all appendix references throughout the document.

Treasurer **Brockway** submitted the following corrections/revisions:

- Page 60 of 108, Item **Systems Support**: 1<sup>st</sup> paragraph, line 2 & 3: “Debt Service” should read “Systems Support”
- Page 61 of 108, Item **Residential User**: Table “new home owners annual billing calculations”, last line: “Quarterly” should read “Quarterly”
- Page 62 of 108, Item **Residential Categories**: 1<sup>st</sup> paragraph, line 2: “Also, residence or other building which is within 200’ of the sewer line but it is not connected to the to an accessible sewer” should read “Also, a residence or other building which is within 200’ of the sewer line but it is not connected to an accessible sewer”.
- Page 63 of 108, Item **Annual Water Consumption**: last paragraph, line 1: “Commercial units can only avail the outside water sewer abatement using an irrigation meter” should be moved to the **Sewer Bill Adjustment** section on page 64 of 108.
- Page 66 of 108, Item **Neglect**: 1<sup>st</sup> paragraph, line 1: “causes an error in that results overpayment” should read “causes an error that results in overpayment”.
- Page 66 of 108, Item **District Error**: 1<sup>st</sup> paragraph, line 2: “by the District for a period of 6 years” should read “by the District for a period of up to 6 years”.
- Page 66 of 108, Item **District Error**: 2<sup>nd</sup> paragraph, line 1: “the District should recover costs for a period of one year” should read “the District should recover costs for a period of up to one year”.
- Page 72 of 108, Item **APPENDIX B**: “Industrial Design Flows” should be added to Appendix B or should be contained in a new appendix.
- Page 75 of 108, Item **APPENDIX C**: Private Meter Application, “Meter Cost” should read “5/8 in. Meter Cost.”
- Page 76 of 108, Item **APPENDIX C**: Kennebunk Sewer District Irrigation Meter Installation Instructions, Step 4, Line 2, “bathroom or washer machine” should read “bathroom or washing machine”
- Page 76 of 108, Item **APPENDIX C**: Kennebunk Sewer District Irrigation Meter Installation Instructions, Step 6, Line 5, “48-hour notice” differs from Page 65 of 108, Item **Irrigation Meter Adjustments**: 1<sup>st</sup> paragraph, line 5: “36-hour notice”, the time should agree in both sections.

Trustee **Wise** submitted the following correction:

- Page 61 of 108, Item **Residential User**: 5<sup>th</sup> paragraph, line 1: “a new home owners annual billing” should read “a new home owner’s annual billing”
- Page 66 of 108, Item **District Error**: 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> paragraphs, line 1: replace the term “should” with “shall”
- Page 68 of 108, Item **Rate Determination**: Table “2020 Equity Buy In Fee”, line 2: “Component” should read “Component”
- Page 76 of 108, Item **APPENDIX C**: Kennebunk Sewer District Irrigation Meter Installation Instructions, Step 6, Line 3, “will take a photograph on the installation” should read “will take a photograph of the installation”

- Page 76 of 108, Item **APPENDIX C**: Kennebunk Sewer District Irrigation Meter Installation Instructions, Step 6, Line 4, “inspections on Fridays by appointment and” should read “inspections on Fridays by appointment and”

Referring to Page 67 of 108, Item **Churches**, Trustee **Wise** asked why churches are “treated as a commercial user with zero water usage.”

A discussion developed regarding this issue.

Chairman **Price** recommended that Staff investigate the variable use costs of churches throughout the district to figure out what it's worth and present the results for Board consideration. If the Board decides to make a policy change, a letter detailing the policy revision would be sent to the users informing them that it would become effective the next year.

All present agreed and recommended addition to the KSD Board of Trustees Monthly Meeting Action Items List.

Chairman **Price** asked for the document (Kennebunk Sewer District Billing Policy) to be presented again at the next meeting with the recommended corrections and revisions as discussed.

District Manager **Gallant** acknowledged.

There being no further comments to come before the Board regarding this issue, Chairman **Price** moved to the next agenda item.

#### **Agenda Item – (New Business) #5: Power Supply Options (Maine Net Energy Billing)**

District Manager **Gallant** met with Novel Energy Solutions to discuss potential savings on energy costs. Details of the meeting are contained in Attachment #5 (Maine Net Energy Billing) provided in KSD Board of Trustees packet of Jan 3, 2023. The following topics and highlights were discussed:

- The service is subscription based with a 1-year initial contract term.
- Page 86 of 108, Item “How You Save – Medium Meters” , CSG (Maine Community Solar Garden Program):
  - CSG bill credit = \$14,711
  - CSG subscription cost = \$12,504
  - CMP (Central Maine Power) utility bill savings = \$2,207
- No solar panel installation on KSD property is required.
- Novel Energy subscription agreement guarantees a 15% savings on the electricity that KSD purchases.
- Page 104 of 108, Item **Exhibit A**: List of account eligible meters.

Chairman **Price** recommended having the contract details (Maine Commercial and Institutional Net Energy Billing – Tariff Rate Terms and Conditions, starting on page 99 of 108) reviewed by KSD’s legal representative, asking for a list of references (other clients) from Novel Energy Solutions, and asking CMP (Central Maine Power) for an assessment of Novel Energy Solutions services.

All present agreed.

District Manager **Gallant** acknowledged and agreed to present the findings to the Board at the next meeting.

There being no further comments to come before the Board regarding this issue, Chairman **Price** moved to the next agenda item.

#### **Agenda Item – (New Business) #6: Manager’s Report**

District Manager **Gallant** provided a summary of selected items from the Manager’s Report as detailed in Attachment #6 (Manager’s Report for January 2023), of the January 2023, Trustees Packet. His comments included the following topics and highlights:

## FINANCIAL AND ADMINISTRATIVE

### Personnel

- Assistant Manager Edward **Sharood** resigned from his position with the District. His last official day was December 23rd. The position was posted immediately on several websites.

### Chemical Bid

- Chemical bids were received back on December 9th.
- A tabulation of the bids is presented in the attachment #6 table on page 105 of 108.

### Headworks HVAC Concerns

- Fuel usage is much higher than Underwood Engineers predicted.
- Underwood's HVAC sub-contractor, Petersen Engineering, has agreed to diagnose the issue.

## PLANT OPERATIONS

### Update From Lead Operator (Ty Morin)

- Process control continues to hold steady.
- During the storm on 12/23/22 KSD bypassed to storm water but did not have any permit violations.
- Archived documents are being moved from the process building basement to the file storage room in the administration building.
- Waiting for Marston to paint the pump house floor.
- The liners on press conveyor #1 were replaced.

## COLLECTION SYSTEMS

### Update From Collection System Foreman (Danny Boissonneault)

- Boothby Road pump station will need some coastal flooding improvements in the future. Water from the storm of 12/23/22 reached the top of the wet well, coming close to flooding the multilevel station.

## 2022 CAPITAL IMPROVEMENT PROJECTS

### Wells Road Force Main Rehabilitation

- This project has been completed.

### Doane's Wharf Pump Station

- The project is out to bid.
- A pre-bid meeting is scheduled for January 5<sup>th</sup> at the KSD office.
- Bids will be opened on January 25<sup>th</sup>.
- The project generator and control panel have been ordered.
- The generator delivery estimate is 54 weeks.

### Phase 2 WWTP Biological Design

- MEDEP (ME Department of Environmental Protection) has accepted and approved the Basis of Design report.
- Assistant Manager **Sharood** completed his engineer evaluation of the preliminary design.
- Brown & Caldwell has begun final design for the project and expects to have the project ready for bid by December 2023.
- The need to raise our debt ceiling via a Town referendum vote was discussed with Brown & Caldwell Consulting Engineer Mark K. **Allenwood**.

### WWTP Improvements

- This project has been completed.

**Safety Improvements**

- This project has been completed.

**Major Tools**

- This project has been completed.

**Bartlett Mills Pump Station Rehabilitation**

- Waiting for George Burr & Son, Inc. of Kennebunk, ME, to install the new manhole cover.
- The new control cabinet installation is complete.

**Push Camera**

- This project has been completed.

**Wells Road Pump Station Pump Replacement**

- This project has been completed.

**Truck 6 Replacement**

- Delivery date expected to be in February or March 2023.

Referring to “*raising the debt ceiling via a Town referendum vote*” comment of **Phase 2 WWTP Biological Design**, Chairman Price asked if the debt ceiling vote is a town referendum or district referendum. District Manager **Gallant** replied that it is a district referendum.

**Agenda Item – (Other Business) a: Temporary Check Signing Authority**

District Manager **Gallant** noted that since the departure of Assistant Manager **Sharood**, he is the only check signer. He proposed that Collection System Foreman Daniel **Boissonneault** and Lead Operator Ty Morin be temporarily authorized to sign checks until a new Assistant Manager has been hired and has assumed the duties. All present agreed.

Chairman **Price** asked for a motion.

**A motion was made to temporarily authorize Collection System Foreman Daniel Boissonneault and Lead Operator Ty Morin to sign checks until a new Assistant Manager has been hired and has assumed the duties.**

**MOVED: Brockway**  
**SECONDED: Wise**  
**DISCUSSION: None.**  
**MODS: None.**  
**VOTE: Chairman Price, affirmative**  
**Vice Chairman Oppert, affirmative**  
**Treasurer Brockway, affirmative**  
**Clerk Wiley, affirmative**  
**Trustee Wise, affirmative**  
**5 in favor, 0 opposed; the motion carried.**

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

**Agenda Item – (New Business) #7: 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 8:06 p.m.**

**MOVED: Wise**

**SECONDED: Wiley**

**DISCUSSION: None**

**MODS: None**

**VOTE: Chairman Price, affirmative  
Vice Chairman Oppert, affirmative  
Treasurer Brockway, affirmative  
Clerk Wiley, affirmative  
Trustee Wise, affirmative  
5 in favor, 0 opposed; the motion carried.**

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

Patrick Wiley, Clerk \_\_\_\_\_

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

<b><u>Request Date</u></b>	<b><u>Action Item</u></b>
<b>December 6, 2022</b>	Agenda Item # 3: Topic <b><u>Review Employee Handbook and Administrative Procedures and Benefits Manual.</u></b> Description <b>Investigate paid maternity / paternity leave options.</b>
<b>December 6, 2022</b>	Agenda Item <b>(Other Business) a:</b> Topic <b><u>Union Contract Agreement.</u></b> Description <b>to have Bradley Sawyer, Deputy Director, MRWA (Maine Rural Water Association) investigate the legality of the union contract agreement. Should the agreement be between the union and the Kennebunk Sewer District Board of Trustees, or an agreement between the union and Kennebunk Sewer District.</b>
<b>January 3, 2023</b>	Agenda Item # 4: Topic <b><u>Review of the Kennebunk Sewer District Billing Policy</u></b> Description <b>Staff investigate the variable use costs of churches throughout the district to figure out what it's worth and present the results for Board consideration.</b>
<b>Date</b>	Agenda Item #__: Topic_____ Description _____.