

KENNEBUNK SEWER DISTRICT BOARD OF TRUSTEES  
MONTHLY MEETING, FEBRUARY 7, 2023

The Board of Trustees of the Kennebunk Sewer District held its regular monthly meeting on Tuesday, February 7, 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 January 3, 2023, Board of Trustee Meeting
  2. Approval of Proposed 2023 Rate Notices for Sewer User Fees, Equity Buy-In Fees, and Impact Fees
  3. 2022 End of Year Account Transfers
  4. Review KSD Billing Policy
  5. Power Supply Options Update
  6. Manager's Report
  7. Adjournment
- .....

The meeting was called to order by Chairman **Price** at 7:02 a.m.

**Agenda Item – Unfinished Business**

There being no discussion regarding Agenda Item “Unfinished Business,” Chairman **Price** moved to the next scheduled Agenda Item.

**Agenda Item – (New Business) #1: Minutes of the January 3, 2023, Board of Trustee Meeting**

Dispensing with a reading of the minutes, Chairman **Price** asked the Board for comments regarding the monthly meeting minutes of January 3, 2023, contained in KSD Board of Trustees packet of Feb 7, 2023, Attachment 2.

Treasurer **Brockway** submitted the following corrections:

- Page 5 of 8, Item **(New Business) #6:** 3<sup>rd</sup> paragraph, line 3: “has agreed to diagnosis the issue.” should read “has agreed to diagnose the issue.”
- Page 6 of 8, Item **(Other Business) a:** 1<sup>st</sup> paragraph, line 3 & 2<sup>nd</sup> paragraph, line 2 “Assistant Manager has been acquired” should read “Assistant Manager has been hired”

There being no further corrections, revisions, or additions to come before the Board regarding the monthly meeting minutes of January 3, 2023, Chairman **Price** asked for a motion.

**A motion was made to approve the minutes for the January 3, 2023, 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) #2: Approval of Proposed 2023 Rate Notices for Sewer User Fees, Equity Buy-In Fees, and Impact Fees**

District Manager **Gallant** provided a summary of Proposed 2023 Rate Notices as presented in KSD Board of Trustees packet of Feb 7, 2023, and Attachment #3 (2023 Rate Notices). His review included the following discussions and comments:

- The average home owner will see a 3.9% or \$34.50 increase over 2022.
- Discussion items of the “Sewer User Fee Rate Projections” data on page 17 of 45 included the following:
  - Billable flow
  - Capital Reserve
  - Support Systems
  - Debt Retirement
  - Septage Revenue
  - Attenuation Fund
- Discussion of “Historical Values” data on page 18 of 45.
- Discussion items of the rate hearing notice computation values from the “2023 Equity Buy In Fee” table on page 21 of 45 included the following:
  - Capital Assets net increase (decrease)
  - Accumulated Depreciation
  - Outstanding Debt
  - Grants
  - EBIF (Equity Buy In Fee) per Equivalent Dwelling Unit
  - Turnpike Zone Impact Fee

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 preliminary proposed rates for 2023 as presented (page 3 of 45 of the KSD Board of Trustees packet of Feb 7, 2023).**

**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.**

**A motion was made to approve the notice for the Rate Hearing and set the Rate Hearing for Tuesday, March 7, 2023, at 7:00PM at Kennebunk Sewer District administrative building conference room.**

**MOVED: Oppert**  
**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.**

Trustee **Wise** submitted the following correction:

- Page 21 of 45, Item **Inflation Percentage Calculation**: “Inflation Percentage Calculation” should read “Inflation Percentage Calculation.”

Clerk **Wiley** submitted the following correction:

- Page 20 of 45, “Y” Axis of Chart **Annual Sanitary Flow based on Consumption**: “ANUAL” should read “ANNUAL”

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

### **Agenda Item – (New Business) #3: 2022 End of Year Account Transfers**

District Manager **Gallant** presented a review of the End of Year Transfers as presented in KSD Board of Trustee’s packet of February 7, 2023, Attachment 1 (Agenda Item Commentary) page 4 of 45, Table 4.

District Manager **Gallant** provided a correction for the “Totals” column of Table 4 as follows: the top number of “\$5,297,089.02” should read “\$8,433,615.11”

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

**A motion was made to authorize the District Manager to conduct the transfers as shown in the 2022 End Of Year Inter-funds Transfer Table as shown in Attachment 1 (Agenda Item Commentary) page 4 of 45, Table 4.**

**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 KSD Billing Policy**

District Manager **Gallant** provided a summary of the revised 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 23 of 45, Item **Systems Support**: 1<sup>st</sup> paragraph, line 3: “total budgeted Debt Service” has been updated to read “total budgeted systems support”
- Page 24 of 45, Item **Residential User**: Table “new home owners annual billing calculations”, last line: “Quarterly” has been updated to read “Quarterly”
- Page 25 of 45, Item **Residential Categories d.**: 1<sup>st</sup> paragraph, line 2: “Also, residence” has been updated to read “Also, a residence”
- Page 25 of 45, Item **Residential Categories d.**: 1<sup>st</sup> paragraph, line 3: “it is not connected to the to an accessible sewer” has been updated to read “it is not connected to an accessible sewer”
- Page 28 of 45, Item **Irrigation Meter Adjustments**: 4<sup>th</sup> paragraph, line 1: “Commercial units can only avail the outside water sewer abatement using an irrigation meter” has been moved from the **Annual Water Consumption** section.
- Page 29 of 45, Item **District Error**: 1<sup>st</sup> paragraph, line 1: “the customer should be reimbursed” has been updated to read “the customer shall be reimbursed”.
- Page 30 of 45, Item **District Error**: 1<sup>st</sup> paragraph, line 1: “the District should recover costs” has been updated to read “the District shall recover costs”.
- Page 30 of 45, Item **District Error**: 2<sup>nd</sup> paragraph, line 1: “meter readings should be handled” has been updated to read “meter readings shall be handled”.
- Page 30 of 45, Item **Churches**: No changes were made to this section pending further review of the category.
- Page 38 of 45, Item **APPENDIX C**: 2<sup>nd</sup> last paragraph, line 1: “Meter Cost” has been updated to read “5/8 Meter Cost”.
- Page 39 of 45, Item **APPENDIX C: Kennebunk Sewer District Irrigation Meter Installation Instructions**, Step 4, Line 2, “bathroom or washer machine” has been updated to read “bathroom or washing machine”
- Page 39 of 45, Item **APPENDIX C: Kennebunk Sewer District Irrigation Meter Installation Instructions**, Step 6, Line 3, “a photograph the installation” has been updated to read “a photograph of the installation”

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

- Page 24 of 45, Item **Residential User**: 3<sup>rd</sup> paragraph, line 1: “maybe necessary” should read “may be necessary”

Trustee **Wise** submitted the following correction:

- Page 25 of 45, Item **Residential Categories d.**: 1<sup>st</sup> paragraph, line 3: “within 200’ of the sewer line but it is not connected” should read “within 200’ of the sewer line but is not connected”

Trustee **Wise** questioned the definition of “Vacant Lots” as defined by **Residential Categories e.** on page 25 of 45. A discussion developed regarding the issue.

After reviewing the KSD Rules and Regulation, Section K on page 45 and Section 6 on page 46, all present agreed that **Residential Categories e.** “Vacant Lots” needs to be rewritten to mirror the definition defined in the KSD Rules and Regulations.

District Manager **Gallant** acknowledged.

Treasurer **Brockway** submitted the following corrections:

- Page 28 of 45, Item **Irrigation Meter Adjustments**: 1<sup>st</sup> paragraph, line 5: “36-hour notice”, should read “48-hour notice” to agree with **APPENDIX C: Kennebunk Sewer District Irrigation Meter Installation Instructions**, Step 6, Line 5, “48-hour notice” on Page 39 of 45.
- Page 29 of 45, Item **Neglect**: 1<sup>st</sup> paragraph, line 1: “causes an error that results overpayment” should read “causes an error that results in overpayment”

Chairman **Price** submitted the following correction:

- The definition of “Vacant Land” on page 30 of 45 should match the new definition of “Vacant Land” created for **Residential Categories e.** on page 25 of 45

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 Update**

District Manager **Gallant** provided an update of the Novel Energy Solutions solar energy credit program relating to the following sections:

- Section 2 (20-year timeline)
- Section 6 (specific term length and replacement period)
- The term “pay all amounts due”
- Other participating customers in Maine

District Manager **Gallant** recommended adding this agenda item to the action item list and tabling it until the District Manager can conduct a more thorough review.

All present agreed.

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 #5 (Manager’s Report for February 2023), of the February 2023, Trustees Packet. His comments included the following topics and highlights:

## **FINANCIAL AND ADMINISTRATIVE**

### **Personnel**

- Resumes for the Assistant Manager position were reviewed, and interviews were conducted on selected candidates.
- Staff evaluations have been completed.
- Lab Technician Jack **Carter** will be celebrating his 3-year anniversary with KSD during the month of February.
- The 2022 budget has been closed out.

## **PLANT OPERATIONS**

### **Update From Lead Operator (Ty Morin)**

- Process control continues to hold steady.
- Staff managed to keep all plant processes running normally during the multiple storms of January 23 thru 26 while power was out for approximately 24 hours.
- KSD bypassed for 2 days at the end of the storm week.
- There were no permit violations during the period.

- All documents have been moved from the control building basement to the records room at the admin building.
- Prep work to repaint the pump house floor has begun.
- Two flow meters have been relocated from the pump house to the SST's (Sludge Storage Tanks). A third flow meter is scheduled for installation next week.
- A glycol leak on the control building boiler occurred and has been corrected.
- A broken bracket on one of the RBC (Rotating Biological Contactor) rolls has been repaired in house.

## **COLLECTION SYSTEMS**

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

- Dig safe procedures were completed for 30+ fiber optic installation projects.
- All pump stations were checked once per week.
- Clarkdale pump station fence was installed.
- Snow removal plowing was conducted at various pump stations.
- Portable generators were moved around during the January storms to keep pump stations operating.

### **January Storms**

- The first storm was on January 23<sup>rd</sup> through the 24<sup>th</sup>. It had heavy snow and a 24-hour power outage. Every pump station at one point including the main facility was without power. Staff rushed portable generators around to the pump stations keeping them operational. There were no backups, no violations, and no overflows.
- Six of the pump stations have permanent generators.
- The power loss issue has staff reevaluating the standby power options that are available.
- The second storm on January 25<sup>th</sup> caused three to four days of high flow. The system was bypassed for over a day from just rain and snow melt. After operations returned to normal, all the tanks were cleaned.

## **2022 CAPITAL IMPROVEMENT PROJECTS**

### **Doane's Wharf Pump Station Rehabilitation**

- Bids were opened for the project on 1/25/23.
- The bids provided were as follows:
  - Gordon Contracting: \$1,983,750
  - Apex Construction: \$1,379,700
  - T-Buck: \$1,394,125
  - Northeast Earth Mechanics: \$1,283,150
- An agreement has been signed with Northeast Earth Mechanics for \$1,283,150.
- The wet well, slab, and all the pipe work is scheduled for completion during the winter. After a shutdown for the summer, the tie in will commence in the fall.
- The generator and electrical panel have been ordered and are scheduled for delivery in June.
- Both pump stations (old and new) will be running for a short period of time until everything is cut over.

### **Phase 2 WWTP Biological Design**

- Phase two final design is underway.
- A meeting is scheduled for February 15<sup>th</sup> with Brown and Caldwell to review design issues and updates.
- The project is scheduled to go out for bid by November or December of 2023.

### **Bartlett Mills Pump Station Rehabilitation**

- This project will be completed in the spring when the conduits are not susceptible to freezing.

### **Truck 6 Replacement**

- Delivery date expected to be in March 2023.

## 2023 CAPITAL IMPROVEMENT PROJECTS

### Boothby Road Pump Station Pumps

- No update.

Vice Chairman **Oppert** asked if consideration should be given to modifying the Boothby Road project to include flood proofing.

District Manager **Gallant** replied that the issue of flood proofing is going to come up in the near future with the capital improvement plan. Flood proofing will incur significant costs which will probably require grant money.

### Riverlocks 1 Pump Station Pumps

- No update.

### Wells Road Pump Station Painting

- In progress.

### Anodes at Lakebrook and Fieldcrest

- No update.

### Fieldcrest Easement

- No update.

### Clarkdale Fence

- This project has been completed.

### Park Street Sewer

- No update.

### Lower Village Sewer Design

- No update.

### Beach Street Siphon Design

- No update.

### WWTF Influent Overflow Pipe

- Waiting on parts.

### Replacement of Control Building Oil Tanks

- The original underground storage plan priced out at over \$300,000.
- The new above ground storage plan utilizing the old lower headworks for a location is looking more like costing under \$100,000.

Chairman **Price** asked who will be doing the work on the Beach Street Siphon project.

District Manager **Gallant** replied that a contractor has not been selected yet.

Chairman **Price** asked how Underwood Engineers, Inc. has been performing on remaining work they still have with KSD.

District Manager **Gallant** gave the following update of Underwood Engineers, Inc. projects as follows:

- KSD will be overseeing the construction on Doane's Wharf Pump Station Rehabilitation project.
- Underwood Engineers, Inc. has been hired to get KSD to award of Doane's Wharf Pump Station Rehabilitation project which is tomorrow. After that, they will be done on the project.
- Underwood Engineers, Inc is working with KSD on the last of the Headworks project punch list.

Trustee **Wise** asked if there has been any update from the town or the legislature about expanding the KSD district. District Manager **Gallant** replied that he has not received any updates. He added that Senator **Rafferty** has submitted the initial bill and the legislature is aware of it, but they were waiting for the new Kennebunk Town Manager to be installed, so the bill hasn't been assigned an LD number yet.

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 8:10 p.m.**

**MOVED: Oppert**

**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.**

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>February 7, 2023</b>	Agenda Item # 5: Topic <b><u>Power Supply Options Update.</u></b> Description <b>Staff conduct a more thorough review of the contract details.</b>
<b>Date</b>	Agenda Item # __: Topic _____. Description _____.