

KENNEBUNK SEWER DISTRICT BOARD OF TRUSTEES
PUBLIC HEARING FOR SETTING RATES AND FEES FOR 2023 and
MONTHLY MEETING, MARCH 7, 2023

The Board of Trustees of the Kennebunk Sewer District held a Public Hearing for setting Rates and Fees for 2023 and its regular monthly meeting on Tuesday, March 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

Others present Bob **Brady**, Visitor

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AGENDA:

Public Hearing
1. Public Hearing for the Purpose of Setting Rates and Fees for 2023

Unfinished Business

New Business
2. Setting the 2023 Rates
3. Minutes of the February 7, 2023, Board of Trustee Meeting
4. KSD Billing Policy
5. 2023 Capital Improvement Plan Modifications
6. 2021-2023 Strategic Plan Updates
7. 2023 Employee Goal Setting

Other Business
8. Manager’s Report

Adjournment
9. Adjournment

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KENNEBUNK SEWER DISTRICT BOARD OF TRUSTEES PUBLIC HEARING FOR SETTING RATES AND FEES FOR 2023

The meeting was called to order by Chairman **Price** at 7:04 p.m.

Agenda Item – (Public Hearing) #1: Public Hearing for the Purpose of Setting Rates and Fees for 2023

Chairman **Price** asked for a motion to open the public hearing.

A motion was made to open the Public Hearing for the purpose of setting rates and fees for 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.

Chairman **Price** asked if any comments have been received from the public. District Manager **Gallant** replied in the negative adding that everything was accomplished in accordance with the charter. The rate hearing notice was approved on February 7th. The hearing notices were mailed to every account holder on February 13th. The hearing notice was also published in the paper on February 17th and posted at the Kennebunk Town Hall and the KSD Office lobby. There have been no comments, calls, or emails regarding the rate hearing notice.

Chairman **Price** asked if any Board member has received any comments from the public regarding the proposed rate hike.

All present replied in the negative.

Since there have been no comments from the public and there being no members from the public present, other than Bob **Brady** (as noted above) who has not voiced any comment regarding the proposed rate hike, Chairman **Price** asked for a motion to close the public hearing.

A motion was made to close the Public Hearing.

MOVED: Wiley
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.

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

The meeting was called to order by Chairman **Price** at 7:05 p.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) #2: Setting the 2023 Rates for Sewer User Fees, Equity Buy In Fees, and Impact Fees

District Manager **Gallant** reported that there have been no changes in the recommended Sewer User Fees, Equity Buy-In Fee, or Turnpike Impact Fee since the last meeting. The recommended rates are provided in KSD Board of Trustees packet of Mar 7, 2023, Attachment 2 (2023 Rate Setting Documents).

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 approve the proposed rates for 2023 (presented in tables 1, 2, and 3 on page 3 of 90 and Attachment #2 of the KSD Board of Trustees packet of Mar 7, 2023,) as follows:

- a. Debt Retirement: \$222.17 per EDU (Equivalent Dwelling Unit)**
- b. Support Systems: \$407.20 per EDU (Equivalent Dwelling Unit)**
- c. Variable O&M: \$0.03630 per cubic foot**
- d. Equity Buy In: \$20.70 per gallon (\$5,175 per EDU (Equivalent Dwelling Unit))**
- e. Turnpike Impact: \$11.88 per gallon.**

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) #3: Minutes of the February 7, 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 February 7, 2023, contained in KSD Board of Trustees packet of Mar 7, 2023, Attachment 3.

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

- Page 6 of 9, Item **(New Business) #6:** 1st paragraph, line 6: “A glycol leak on the control building boiler emerged” should read “A glycol leak on the control building boiler occurred”

Clerk **Wiley** submitted the following correction:

- Page 6 of 9, Item **(New Business) #6:** 1st paragraph, line 4: “to the SST’s (Secondary Settling Tanks)” should read “to the SST’s (Sludge Storage Tanks)”

There being no further corrections, revisions, or additions to come before the Board regarding the monthly meeting minutes of February 7, 2023, Chairman **Price** asked for a motion.

A motion was made to approve the minutes for the February 7, 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) #4: Review of the Kennebunk Sewer District 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 Mar 7, 2023, and Attachment #4 (Billing Policy). His comments included the following revisions to the document:

- Page 27 of 90, Item **Residential Categories e**. Revised as follows: “Vacant Lots are lots that are vacant and unimproved, but which could be improved pursuant to Kennebunk Zoning Regulations, and which is within 200’ of an accessible sewer, shall be assessed a per foot charge of frontage owned. See page 45 (section K) and 46 (section 6) of the KSD Sewer Use Rules and Regulations.”
- Page 30 of 90, Item **Irrigation Meter Adjustments**, 1st paragraph, line 5: “36-hour notice”, changed to read “48-hour notice”.

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

- Page 25 of 90, Item **Systems Support**: 1st paragraph, line 2: “annual calculation of the Debt Service” should read “annual calculation of the systems support”

Treasurer **Brockway** submitted the following corrections:

- Page 26 of 90, Item **Residential User**: 3rd paragraph, line 1: “Town of Kennebunk maybe necessary” should read “Town of Kennebunk may be necessary”
- Page 31 of 90, Item **Neglect**: 1st paragraph, line 1: “causes an error that results overpayment.” should read “causes an error that results in overpayment.”

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 accept the updated KSD Billing Policy as amended.

MOVED: Oppert
SECONDED: Brockway
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) #5: 2023 Capital Improvement Plan Modifications

District Manager **Gallant** provided a summary of the revised Capital Improvement Plan as presented in KSD Board of Trustees packet of Mar 7, 2023, pages 4 and 5 of 90, Tables 4 and 5 on page 5 of 90, and Attachment #9 (Capital Improvement Plan Documents). His comments included the following:

- WWTF Improvements
 - A \$9,000 savings due to an over estimation of the expansion tank project.
- Replacement of heating oil tanks
 - A \$255,000 savings because of a revised underground heating oil storage tank project. A much more cost-effective option of utilizing the old lower headworks with above ground storage tanks can be implemented.
 - The above ground storage tanks option was estimated to cost \$88,000.
- Emergency Backup Power
 - Utilizing saved funds from the WWTF Improvements and the replacement of heating oil tanks, a much-needed backup emergency power source can be provided to the administration building, the Brown Street pump station, and Riverlocks 1 pump station at a total cost of \$165,000.
 - Total cost breakdown was presented as follows:
 - ✓ Install permanent standby generator at Brown Street Pump Station - \$35,000.00.
 - ✓ Run a new electrical primary feed from the WWTP to the admin building for backup power - \$80,000.00.
 - ✓ Install permanent standby generator at Riverlocks 1 Pump Station - \$35,000.00.
 - ✓ Contingency 10% - \$15,000.00.
- Total 2023 Capital Improvement Plan Modification Savings - \$99,000

- A review of the 2022 Capital Improvement Plan modifications included the following:
 - Phase 2 Biological Design savings - \$490,000.
 - Doanes Wharf Pump Station savings - (-\$792,000).
 - Wells Road PS Force Main savings - (-\$15,600).
 - Unallocated savings - \$317,600.
- Total 2022 Capital Improvement Plan Modification Savings - \$0

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 approve the Manager to reallocate funds in the 2023 Capital Improvement Plan as shown in Table 4 (Attachment 1 (Agenda Item Commentary) page 5 of 90, KSD Board of Trustee's packet of March 7, 2023).

MOVED: Oppert

SECONDED: Brockway

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 Manager to reallocate funds in the 2022 Capital Improvement Plan as shown in Table 5 (Attachment 1 (Agenda Item Commentary) page 5 of 90, KSD Board of Trustee’s packet of March 7, 2023).

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.

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

Agenda Item – (New Business) #6: 2021-2023 Strategic Plan Updates

District Manager **Gallant** provided a summary of the Strategic Plan Updates as presented in KSD Board of Trustees packet of Mar 7, 2023, and Attachment #5 (2021-2023 Strategic Plan). Comments included the following:

Treasurer **Brockway** submitted the following revision:

- Page 54 of 90, Item #4., 1st paragraph, line 5: Add an updated line referencing that fact that KSD has unofficial preliminary MEDEP (Maine Department of Environmental Protection) correspondence specifying interim nitrogen numbers that were used for the KSD initial design.

Trustee **Wise** submitted the following correction:

- Page 54 of 90, Item #7., 1st paragraph, line 1: “speak to operators about products” should read “speak to operators about products”

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 approve the updated 2021-2023 Strategic Plan as revised.

MOVED: Brockway
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.

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

Agenda Item – (New Business) #7: 2023 Employee Goal Setting

District Manager **Gallant** provided a summary of manager and non-union administrative staff Employee Goals as presented in KSD Board of Trustees packet of Mar 7, 2023, and Attachment #6 (2023 EMPLOYEE OBJECTIVES). His comments included the following:

- Employee Objectives, Christopher **Gallant**, P.E.
 - Increase the use of paperless operations via the SCADA (Supervisory Control And Data Acquisition) platform.
 - Develop strategies for the replacement of the biological treatment systems.
- Employee Objectives, Heidi **Souliere**
 - Create new pump station operation and maintenance manuals.
 - Continue to develop and implement the asset management system.
- Employee Objectives, Susan **Richards**
 - Merging documentation from SBILL into the BILZ program.
 - Create and update equity buy in fee historical database.

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 approve the 2023 Employee Goals for non-union administrative staff as presented.

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.

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

Agenda Item – (Other Business) #8: Manager’s Report

District Manager **Gallant** provided a summary of selected items from the Manager’s Report as detailed in Attachment #7 (Manager’s Report for March 2023), of the March 2023, Trustees Packet. His comments included the following topics and highlights:

FINANCIAL AND ADMINISTRATIVE

Personnel

- KSD is still looking for a candidate for the vacant Assistant Manager position.
- District Manager **Gallant** will be celebrating his 5-year anniversary with KSD during the month of March.
- The 2022 budget has been closed out.

Biosolids Handling

- With the passage of laws LD 1639 and LD 1911, which are now active, landfills cannot stabilize the quantities of sludge being brought to them.
- Casella has added a price adjustment to allow them the ability to temporarily haul the sludge out of state or out of country. KSD will see a rate increase of an additional \$61.49 - \$73.88 per ton, which will add up to a potential budget overrun of \$61,542.
- Staff has attempted to secure out of state haulers and landfills to receive our products, but all estimates are as high or higher than Casella’s adjusted rate.
- Staff has voiced KSD’s concerns to State Representatives Traci **Gere** and Dan **Sayre** as well as staff at Maine DEP (Department of Environmental Protection).

Headworks SRF Loan

- The headworks SRF (State Revolving Fund) loan was converted to a bond on February 15, 2023.
- The loan was closed at \$7,113,980.52.

Charter Update

- This year's legislation session has not been printed yet, but the charter update did get added.
- KSD has requested the Kennebunk Town Manager get the Select Board's support in the process.

Boy Scouts Pinewood Derby

- The Boy Scouts have been approved to use the KSD garage for their pinewood derby at the end of this month.

PLANT OPERATIONS

Update From Lead Operator (Ty Morin)

- Process control continues to hold steady.
- A malfunctioning clarifier rake arm motor and wiring was replaced and is now operating normally.
- Johnson & Jordan, Inc, Scarborough, ME, repaired a pump house glycol leak.
- The flow meters have been wired.
- Staff is going to assume repairs to the RBC since Mountain Machine Works, Auburn, ME, has not been able to meet their schedule.
- Installation of the expansion tank on the plant water system has been completed.

COLLECTION SYSTEMS

Update From Collection System Foreman (Danny Boissonneault)

- All pump stations were checked once per week.
- Trees that broke and fell onto the Doanes Wharf pump station power meter were removed.
- Repairs were completed to 2 manholes.
- Marston Painting Co. finishing the walls at Wells Road pump station.
- The defective Wells Road pump that was repaired under warranty by the manufacturer is scheduled for installation next week.

2022 CAPITAL IMPROVEMENT PROJECTS

Doane's Wharf Pump Station Rehabilitation

- Northeast Earth Mechanics is scheduled to begin wet well installation at the end of March.

Phase 2 WWTP Biological Design

- Phase two final design is underway.
- Staff conducted two workshops during the month of February with Brown and Caldwell to review design issues and updates.

Bartlett Mills Pump Station Rehabilitation

- This project is in winter shut down.

Truck 6 Replacement

- Delivery date expected to be in March 2023.

2023 CAPITAL IMPROVEMENT PROJECTS

Boothby Road Pump Station Pumps

- No update.

Riverlocks 1 Pump Station Pumps

- No update.

Wells Road Pump Station Painting

- Painting has been completed.

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

- The project is expected to be completed by March 8, 2023.

Replacement of Control Building Oil Tanks

- The contractor has been onsite to evaluate the installation and plans to begin the project this winter.

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

Agenda Item – (Adjournment) #9: Adjournment

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

A motion was made to adjourn the meeting at 8:16 p.m.

MOVED: Oppert

SECONDED: Brockway

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

<u>Request Date</u>	<u>Action Item</u>
December 6, 2022	Agenda Item # 3: Topic <u>Review Employee Handbook and Administrative Procedures and Benefits Manual.</u> Description Investigate paid maternity / paternity leave options.
December 6, 2022	Agenda Item (Other Business) a: Topic <u>Union Contract Agreement.</u> Description 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.
January 3, 2023	Agenda Item # 4: Topic <u>Review of the Kennebunk Sewer District Billing Policy</u> Description 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.
February 7, 2023	Agenda Item # 5: Topic <u>Power Supply Options Update.</u> Description Staff conduct a more thorough review of the contract details.
Date	Agenda Item # __: Topic _____. Description _____.