

KENNEBUNK SEWER DISTRICT BOARD OF TRUSTEES
MONTHLY MEETING, JULY 11, 2023

The Board of Trustees of the Kennebunk Sewer District held its regular monthly meeting on Tuesday, July 11, 2023, in the conference room at 44 Water Street.

Trustees present James A. **Oppert**, Vice Chairman
 Wayne A. **Brockway**, Treasurer
 Patrick **Wiley**, Clerk
 Robert **Brady**, Trustee

Trustees present via ZOOM Jason **Wise**, Trustee

KSD Staff present Chris **Gallant**, KSD District Manager
 Jim **Katz**, KSD Project Manager / Assistant District Manager

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AGENDA:

Unfinished Business

New Business

1. Election of Officers
2. Minutes of the June 6, 2023, Board of Trustee Meeting
3. Capital Improvement Plan: Reallocation of Funds

Other Business

4. Manager's Report

Adjournment

5. Adjournment
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Due to the resignation of Chairman John **Price** and in the absence of an elected Chairman, Vice Chairman **Oppert** called the meeting to order at 7:00 p.m.

District Manager **Gallant** introduced and welcomed new Trustee member Robert **Brady**.

In preparation for agenda item New Business #1 Election of Officers, District Manager **Gallant** listed the previous slate of officers as follows:

John E. **Price** III, Chairman
James A. **Oppert**, Vice Chairman
Wayne A. **Brockway**, Treasurer
Patrick **Wiley**, Clerk

There being no further discussion, Vice Chairman **Oppert** moved to the next scheduled Agenda Item

Agenda Item – (New Business) #1: Election of Officers

Vice Chairman **Oppert** opened a discussion regarding Board of Trustee Officer selection. Discussion topics included the following:

- District Manager **Gallant** noted the term expiration date for the present slate of officers as follows:
 - James A. **Oppert**, Vice Chairman, 2024
 - Wayne A. **Brockway**, Treasurer, 2024
 - Patrick **Wiley**, Clerk, 2025
 - Jason **Wise**, Trustee, 2025
- Vice Chairman **Oppert** announced that he would be resigning from the Board at the end of his current term and proposed the following slate of officers:
 - Patrick **Wiley**, Chairman
 - James A. **Oppert**, Vice Chairman
 - Wayne A. **Brockway**, Treasurer
 - Jason **Wise** or Robert **Brady**, Clerk
- Clerk **Wiley** remarked he did not anticipate taking on the duties as Chairman now but would be willing to fill the position when the Chairman term expires in 2024.
- Treasurer **Brockway** stated he would be willing to continue fulfilling the duties as Treasurer.
- Trustee **Wise** stated that he did not feel organized enough to fulfill the duties as Clerk or Treasurer and declined consideration for either office.
- Clerk **Wiley** detailed his duties as Clerk for Trustee **Brady**.
- Trustee **Brady** stated he would be willing to assume the duties as Clerk if asked to do so.

A discussion developed regarding the duties and responsibilities of the office of Chairman and Vice Chairman.

A motion was made to appoint Robert Brady to the office of Clerk for the Kennebunk Sewer District Board of Trustees for a term of one year to expire in July 2024.

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

A motion was made to appoint Wayne A. Brockway to the office of Treasurer for the Kennebunk Sewer District Board of Trustees for a term of one year to expire in July 2024.

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

A motion was made to appoint Patrick Wiley to the office of Vice Chairman for the Kennebunk Sewer District Board of Trustees for a term of one year to expire in July 2024.

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

A motion was made to appoint James A. Oppert to the office of Chairman for the Kennebunk Sewer District Board of Trustees for a term of one year to expire in July 2024.

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

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

Agenda Item – Unfinished Business

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

Agenda Item – (New Business) #2: Minutes of the June 6, 2023, Board of Trustee Meeting

Dispensing with a reading of the minutes, Chairman **Oppert** asked the Board for comments regarding the monthly meeting minutes of June 6, 2023, contained in KSD Board of Trustees packet of July 11, 2023, Attachment #2.

There being no corrections, revisions, or additions to come before the Board regarding the monthly meeting minutes of June 6, 2023, Chairman **Oppert** asked for a motion.

A motion was made to approve the minutes for the June 6, 2023, Monthly Meeting as submitted.

MOVED: Brockway
SECONDED: Wiley
DISCUSSION: None
MODS: None
VOTE: Chairman **Oppert, affirmative**
Vice Chairman **Wiley, affirmative**
Treasurer **Brockway, affirmative**
3 in favor, 0 opposed; 2 abstained (Wise, Brady) the motion carried.

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

Agenda Item – (New Business) #3: Capital Improvement Plan: Reallocation of Funds

District Manager **Gallant** opened a discussion regarding reallocation of funds in the Capital Improvement Plan as detailed in the KSD Board of Trustees packet of July 11, 2023, Attachment #1 (Agenda Item Commentary) and Attachment #3 (Capital Improvement Plan Documentation). Topics presented included:

- Reallocating a portion of the remaining \$17,319.72 funds from CIP project line item titled “Influent Overflow Pipe” for two needed wastewater treatment facility projects detailed as follows:
 - Raising the door to the old headworks to allow for proper grading to prevent standing water and flooding in the building for an estimated cost of \$5,000.
 - Purchase a 10’ x 10’ shed to house oil tanks for the RBC building during construction for an estimated cost of \$8,000. The shed will be reused after the RBC building is removed.

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

A motion was made to approve the Manager to fund the headworks door adjustment project and RBC shed project with the remaining funds from the Influent Overflow Pipe line from the 2023 Capital Improvement Plan at a total of \$13,000.

MOVED: Brockway

SECONDED: Wiley

DISCUSSION: None

MODS: None

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

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

Agenda Item – (Other Business) #4: Manager’s Report

District Manager **Gallant** provided a summary of selected items from the Manager’s Report as detailed in Attachment #4 (Manager’s Report for Jul 2023), of the Jul 2023, Trustees Packet. His comments included the following topics and highlights:

FINANCIAL AND ADMINISTRATIVE

Personnel

- The vacant Operator position is still open.
- Camden **New** was hired as a summer intern.

August Meeting

- District Manager **Gallant** will be out of town during the August meeting but will be able to run the meeting via Zoom. Project Manager **Katz** will set up the conference room for the meeting.

Treasurer **Brockway** noted that he will be absent for the August meeting.

New Trustee

- As noted at the beginning of the meeting, new Trustee member Robert **Brady** was introduced and welcomed. He provided a brief description of his background and qualifications.

Biosolids Handling

- LD 718 granting a 24-month stay on allowing out of state bulky waste back into Maine landfills was signed by the Governor on June 23, 2023.
- A letter from Patrick L. **Ellis**, Director of Organics Solutions, Casella Waste Systems, Inc, to District Manager **Gallant** was received on July 6, 2023. This correspondence is provided as Enclosure 1 in these minutes and details the following topics:
 - With the enactment of LD 718, Casella would be able to suspend diversion of sludges generated in Maine to alternative, out-of-state facilities for 24 months.
 - Casella's invoice for KSD services in July will be the final invoice to include the LD 1639 surcharge.
 - The LD 1639 surcharge for KSD services will be suspended for 24 months.
 - Evan **Kelly** has assumed the role of Strategic Account Manager for Casella's Maine customers and will be KSD's new point of contact for answering any questions about KSD's contract. He can be reached at (207) 233-1270.
 - Erika **Clifford** and Kelly **O'Connell** will work with Casella's Maine customers on compliance and reporting.
 - Rob **Bowman** will continue to be KSD's daily point of contact for scheduling service and addressing any operational needs.

Charter Update

- LD 1693 changing the KSD Charter was signed by the Governor on June 12, 2023.
- The bill will become law on Sep 12, 2023.

COLLECTION SYSTEMS

Update From Collection System Foreman (Danny Boissonneault)

- Checked pump stations and mowed lawns.
- Repaired manholes on Beach Ave and Western Ave.
- Nest & Sons Inc, Kennebunk, ME cleaned sewer lines and removed grit out of Beach Ave sewer lines up to the siphon.
- Jet rodded various sewer lines and the Beach Ave siphon.
- Pulled pumps at Grants Farm pump station.
- Bartlett Mills pump station control panel upgrade is complete.
- Completed various dig safe operations.

PLANT OPERATIONS

Update From Lead Operator (Ty Morin)

- Process control continues to stay in check.
- Staff has been completing work orders and ground maintenance.
- A tidal valve was installed on the storm water tank.
- Marston Painting of North Hampton, NH has completed painting the lower headworks.
- Johnson & Jordan, Inc. of Scarborough, ME completed concrete repair of the storm water clarifier.

STORM REPORT

District Manager Gallant provided the following storm report

- The recent storms started on July 2, 2023, and peaked on July 4, 2023.
- KSD bypassed in a four-day period more than it ever has historically.
- The flow is still almost double the typical amount.
- Over the peak two-day period, KSD diverted approximately 1.9 million gallons with no failures or violations. All within permit limits.

Project Manager **Katz** provided the following Manager's Report update.

2022 CAPITAL IMPROVEMENT PROJECTS

Doane's Wharf Pump Station Rehabilitation

- The pump station building has been constructed.
- The louvers and HVAC system have been installed.

Phase 2 WWTP Biological Design

- Staff met with Brown and Caldwell, Andover, MA on June 12 to review the 30% plans.
- The project is coming along smoothly and is on time and budget.
- Brown and Caldwell, Andover, MA will work on all the comments made on the 30% plans.
- The 60% plans are expected to be ready mid-August.
- Staff visited Exeter Wastewater Treatment facility on June 22, 2023, to observe Enviromix technology which uses a method of large coarse bubble mixing.

Bartlett Mills Pump Station Rehabilitation

- Power was switched to the new panel on June 7, 2023.
- The old panel was removed.
- Staff conducted testing on the new panel with the existing pumps and all operations functioned well.
- George **Burr** & Son, Inc., Kennebunk, Maine will be setting the new concrete tops in July, following the installation of concrete risers.
- The area is scheduled for paving and landscaping following the concrete work.

Truck 6 Replacement

- The truck is scheduled to be completed by the end of July 2023.
- Staff will be contacting the company to schedule delivery.

2023 CAPITAL IMPROVEMENT PROJECTS

Boothby Road Pump Station Pumps

- Pump replacement at Boothby Road is waiting for evaluation of the same pump installed at Wells Rd pump station.

Riverlocks 1 Pump Station Pumps

- Staff are reviewing a quote received from Champlin Associates of Essex Junction, VT for replacement of the pumps and replacement of the lines back to the valve pit.

Wells Road Pump Station Painting

- Marston Painting, North Hampton, NH has painted the walls of all levels.
- The floors are scheduled to be painted in August.

Anodes at Lakebrook and Fieldcrest

- Anodes Systems Company, Grand Junction, CO is scheduled to install the anodes between September and October.

Fieldcrest Easement

- No Update.

Clarkdale Fence

- This project has been completed.

Park Street Sewer

- Due to water seepage, the manholes will be coated later when the weather is dryer.

Lower Village Sewer Design

- Staff met with Kennebunk municipalities to discuss timeline, construction strategy, and potential accommodations.
- Brown and Caldwell, Andover, MA is digitizing the plans so they can be shared.
- The project is scheduled for spring, 2024.

District Manager **Gallant** opened a discussion regarding project financing for the lower village sewer design. His remarks included the following highlights:

- The work is envisioned to cost approximately \$1.0 to \$1.3 million.
- Suggested funding options included:
 - Spending liquid cash.
 - Bond funding for this project and a couple of other projects combined into one bond.
- Financing options will be presented and discussed at the next meeting.

Continuing his review, Project Manager **Katz** provided the following update.

Beach Street Siphon Design

- Northeast Earth Mechanics, LLC, Pittsfield, NH will be providing an estimate for this project.

WWTF Influent Overflow Pipe

- This project has been completed.

Replacement of Control Building Oil Tanks

- This project has been completed.
- Waiting for the old tanks to empty before switching to the new tank and moving the old tanks.

Network Upgrades

- Waiting for two switches and a Wi-Fi access point.

District Manager **Gallant** provided the following additional Manager's Report item.

Agenda Item – (Other Business) #a: Emergency Backup Power

Installation progress

- The admin building is scheduled to be tied into the plant next week.

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

Agenda Item – (Adjournment) #5: Adjournment

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

A motion was made to adjourn the meeting at 7:54 p.m.

MOVED: Wiley

SECONDED: Wise

DISCUSSION: None

MODS: None

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

Date Signed _____

Robert **Brady**, 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 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.
May 2, 2023	Agenda Item # 3: Topic <u>Paid Maternity / Paternity Leave Options.</u> Description Consider paid maternity / paternity leave options in calendar year 2024 and add those policies and procedures that the Board of Trustees reviewed and accepted to the Employee Handbook and Administrative Procedures and Benefits Manual.
Date	Agenda Item #__: Topic_____ Description _____

Enclosure 1

Chris Gallant

From: Erica Dole <erica.dole@casella.com>
Sent: Thursday, July 6, 2023, 4:06 PM
To: cgallant@ksdistrict.org
Subject: LD 1639 Surcharge and the Passage of LD 718

July 5th, 2023

RE: LO 1639 Surcharge and the passage of LO 718.

Dear Chris Gallant:

Casella is happy to report that L.D. 718, "An Act to Increase the Beneficial Reuse of Construction and Demolition Debris" has passed in the Maine legislature and took effect on June 23rd. Casella, after consultations with ReSource Waste Services, the company that processes Construction and Demolition Debris (C&D), committed to the Maine Legislature that within fifteen days of the enactment of L.D. 718, that ReSource would direct increased volumes of oversized bulky waste (OBVV) to the Juniper Ridge Landfill (JRL), and that Casella would be able to suspend diversion of sludges generated in Maine to alternative, out-of-state facilities.

Casella's invoice for services in July will be the final invoice to include the L.D. 1639 surcharge that has appeared since March, and it will only include a surcharge for four working days. Casella calculated the LO 1639 surcharge each month based on the volume of Maine-generated biosolids that it diverted out-of-state. In a worst-case scenario (if Casella were required to divert 4,000 or more tons from JRL to out-of-state facilities), the surcharge would have been \$61.49/wet ton. Fortunately, we were able to mitigate the surcharge as operating conditions improved at JRL.

We are relieved that we were able to reduce the sludge volumes we needed to ship out-of-state to lower levels than anticipated. We had specifically established a variable-rate surcharge that was tied-directly to Casella's varied sludge management expense, as we did not want to burden our customers with a flat-rate fee that did not reflect the accurate cost impacts of complying with L.D. 1639. With the governor's signature of L.D. 718, the impact of L.D. 1639 are delayed for two years.

On an even brighter note, Casella is optimistic that its efforts to develop additional capacity for sludge management will be operational by July 1st, 2025. We are endeavoring to provide new options for our customers that will create redundancy and minimize the vulnerability of relying upon a single disposal facility in the State of Maine. We will be communicating more about these efforts in the future.

And one last important item to note is that Evan Kelly has assumed the role of Strategic Account Manager for our Maine customers. I recognize that many of you have already worked with Evan in his former role on our compliance team. We've filled his former role with Erika Clifford. Erika, along with Kelly O'Connell will work with our Maine customers on compliance and reporting. Evan will be your new point of contact for answering any questions about your contract and working with you when those contracts approach their expiration dates. Evan can be reached at (207) 233-1270. And of course, Rob Bowman and the logistics team will continue to be your daily point of contact for scheduling service and addressing any operational needs.

Thank you for your continued patience and cooperation as we've weathered the challenges in Maine. We appreciate the continued support from our customers.

Sincerely,

Patrick L. Ellis

Director of Organics Solutions.

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