

KENNEBUNK SEWER DISTRICT BOARD OF TRUSTEES  
MONTHLY MEETING, APRIL 8, 2025

The Board of Trustees of the Kennebunk Sewer District held its regular monthly meeting on Tuesday, April 8, 2025, in the conference room at 44 Water Street.

Trustees present                  Patrick **Wiley**, Chairman  
    Jason **Wise**, Vice Chairman  
                                  Wayne A. **Brockway**, Treasurer  
                          Robert **Brady**, Clerk  
                  Aaron **Nalezny**, Trustee

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

Others preset                      John **Dunster**, Commercial & Institutional Solar Consultant, ReVision Energy,  
South Portland, ME

## AGENDA:

## Unfinished Business

## New Business

1. Solar Energy Options
2. Minutes of the March 4, 2025, Board of Trustee Meeting
3. Western Ave. Construction Funding
4. Commitment of Sewer User Fees
5. Review of Mixed-Use Properties Billing Policy
6. Sewer Main Extension Approval – Heritage Lane

## Other Business

- ## 7. Manager's Report

## Adjournment

- ## 8. Adjournment

Chairman **Wiley** called the meeting to order at 7:00 p.m.

## Agenda Item – Unfinished Business

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

## **Agenda Item – (New Business) #1: Solar Energy Options**

District Manager **Gallant** welcomed John **Dunster**, Commercial & Institutional Solar Consultant, ReVision Energy, to the meeting. District Manager **Gallant** introduced himself and asked the Board of Trustees to state their names and positions on the Board.

Referring to Attachment #3 (Solar Energy Options) of the April 2025 Trustees Packet, Consultant **Dunster** presented a breakdown of ReVision Energy's proposal for solar energy installation at the KSD administration building. His presentation included the following highlights:

- Revision Energy's background and qualifications.
- Differences between KLP (Kennebunk Light and Power) and CMP (Central Maine Power) solar policies including:
  - The maximum kilowatt limit that can be installed.
  - Net energy billing (CMP).
  - Kilowatt hour credits, net metering (KLP).
- Inflation Reduction Act provides a 30% tax credit for the cost of the system.
- US Department of Energy ITAC (Industrial Training and Assessment Center) grant would pay up to 50% of a project cost.
- The current design specifics include:
  - 83 kW (DC) producing about 60 kW (AC).
  - 190 panels producing about 106,000 kilowatts.
  - Panel layout and production estimates.
- Solar cells and frames warranties.
- Estimated monthly power production.
- Investment summary.
- Explanation of the monitoring system and its visibility to the public.
- Project savings, revenue, and environmental benefits.
- Funding strategies.
- Benefiting from long-term electricity savings, with projected 25-year savings of nearly \$360,000

Solar Consultant **Dunster** departed the meeting at 7:37 p.m.

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

**Agenda Item – (New Business) #2:** Minutes of the March 4, 2025, Monthly Meeting

Dispensing with a reading of the minutes, Chairman **Wiley** asked the Board for comments regarding the monthly meeting minutes of March 4, 2025, contained in KSD Board of Trustees packet of April 8, 2025, Attachment #2.

District Manager **Gallant** submitted the following correction:

- Page 2 of 9, Item **(Public Hearing) #1:** 2<sup>nd</sup> paragraph, line 6: “posted in the lobby at the town hall as stipulated” should read “posted in the lobbies at the town hall and the KSD admin building as stipulated”

There being no further corrections, revisions, or additions to come before the Board regarding the monthly meeting minutes of March 4, 2025, Chairman **Wiley** asked for a motion.

**A motion was made to approve the minutes for the March 4, 2025, Monthly Meeting as amended.**

**MOVED:** **Wise**

**SECONDED:** **Brady**

**DISCUSSION:** **None.**

**MODS:** **As Noted.**

**VOTE:** **Chairman Wiley, affirmative**

**Vice Chairman Wise, affirmative**

**Treasurer Brockway, affirmative**

**Clerk Brady, affirmative**

**Trustee Nalezny, affirmative**

**5 in favor, 0 opposed; the motion carried.**

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

**Agenda Item – (New Business) #3: Western Avenue Funding**

Referring to Attachment #1 (Agenda Item Commentary) of the April 2025 Trustees Packet, District Manager **Gallant** provided the following update:

- This project needs to be temporarily funded until money from the anticipated bond is available in September.
- Staff is recommending paying for the Western Avenue project out of the Rate Stability account and then reimbursing that account when the bond funds become available.
- The anticipated amount for the Western Avenue project is about \$750,000.
- The Rate Stability Fund currently has a balance of \$3,017,537.

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

**A motion was made to authorize the District Manager to transfer up to \$750,000 from the Rate Stability account into the O&M account to cover expenses related to the Western Avenue sewer rehabilitation project, with the requirement to replenish these funds when the bond for this project is finalized in September.**

**MOVED: Brockway**

**SECONDED: Wise**

**DISCUSSION: Treasurer Brockway recommended that an imputed interest rate be included to ensure that the interest on the loan from the Rate Stability account is accurately reflected, even though no explicit interest is charged. So whatever rate is being earned in the Rate Stability account for the period should be calculated for the payback.**

**All present agreed.**

**MODS: Include imputed interest rate for the payback to the Rate Stability account.**

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

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

**Agenda Item – (New Business) #4: Commitment of the 2025 Sewer User Fees**

Referring to Attachment #1 (Agenda Item Commentary) of the April 2025 Trustees Packet, District Manager **Gallant** reported that annually, the Board commits the year's sewer user fees to the District Treasurer for collection by the District. The 2025 user fee commitment total is \$3,983,814.04. By committing the sewer user fees, the District secures its right to collect the fees, place liens, and foreclose on property for nonpayment of sewer fees.

There being no further remarks or comments regarding this agenda item, Chairman **Wiley** asked for a motion.

**A motion was made to commit the sewer fees to the District Treasurer totaling \$3,983,814.04.**

**MOVED: Wise**

**SECONDED: Brady**

**DISCUSSION: None.**

**MODS: None.**

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

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

**Agenda Item – (New Business) #5: Review of Mixed-Use Properties Billing Policy**

Referring to Attachment #1 (Agenda Item Commentary) of the April 2025 Trustees Packet, District Manager **Gallant** opened a discussion regarding the billing policy of mixed-use properties which included the following topics and highlights:

- A commercial property that has residential apartments above it is classified as a mixed-use property.
- Properties that are considered “Commercial” have their debt units and support system units calculated based on one unit for every 12,000 cubic feet of water usage.
- This calculation still applies even when a commercial property has residential apartments above it.
- A residential property that is an apartment building with four apartments pays four debts units, four supports system units, and water usage for each apartment.
- Staff recommends revising the billing policy for residential apartments above commercial properties (mixed-use properties) to pay the same as apartments on residential properties for debts units, supports system units, and water usage.

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

**A motion was made to authorize staff to revisit the Kennebunk Sewer District Billing Policy and revise to ensure that apartments on commercial properties pay the same as apartments on residential properties.**

**MOVED: Brady**

**SECONDED: Wise**

**DISCUSSION: None.**

**MODS: None.**

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

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

**Agenda Item – (New Business) #6: Sewer Extension – Heritage Lane**

Referring to Attachment #4 (Heritage Lane Sewer Extension) and Attachment #1 (Agenda Item Commentary) of the April 2025 Trustees Packet, District Manager **Gallant** reported that WEA (Walsh Engineering Associates, Inc. Westbrook, ME) is requesting permission from the Kennebunk Sewer District Board of Trustees to extend the sewer up Heritage Lane (off York Street).

In accordance with the Kennebunk Sewer District’s Rules and Regulations, anytime a developer is going to be extending the sewer, the Board of Trustees should be notified and is the approving authority.

Referring to Attachment #4 (Heritage Lane Sewer Extension) of the April 2025 Trustees Packet, Project Manager **Johnson**, provided the following details:

- The project consists of extending an 8” main into the new development for 8 single family homes.
- The sewer will be privately constructed following KSD’s sewer connection policies, details and inspections.
- There would be no potential for future development because the road dead ends and abuts another development.

- Each new connection will pay their full equity buy-in fees.
- Section 11 of the KSD's Rules and Regulations addresses details for the easement of the right over the line in the event of a transfer of ownership.

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

**A motion was made to approve the proposed sewer extension up Heritage Lane to a new subdivision known as Bluebird Lane, in accordance with Article X of the Kennebunk Sewer District Rules and Regulations.**

**MOVED: Brockway**

**SECONDED: Wise**

**DISCUSSION: None.**

**MODS: None.**

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

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

### **Agenda Item – (Other Business) #7: 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 April 2025), of the April 2025 Trustees Packet. His comments included the following topics and highlights:

#### **FINANCIAL AND ADMINISTRATIVE**

##### **Personnel**

- Operator Nate **Jones** and Lab Technician Jack **Carter** attended confined space entry training at Everett J. Prescott, Inc. (Team EJP) Gardiner, ME conducted by Tom's Water Solutions LLC Gorham, ME
- Instrumentation Technician Miguel **Tostado II** celebrated 4 years with the District in April 2025.

Project Manager **Johnson** provided a summary of selected items from the Manager's Report as detailed in Attachment #5 (Manager's Report for April 2025), of the April 2025 Trustees Packet. His comments included the following topics and highlights:

#### **COLLECTION SYSTEMS**

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

- Performed dig safes, service inspections, and weekly pump station inspections.
- Completed work orders.
- Staff has started jetting all clay lines in preparation for camera inspections beginning at the end of April 2025.

#### **PLANT OPERATIONS**

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

- Process control continues to stay in check.
- Completed monthly work orders.
- Started spring yard cleaning.

- The primary waste line that flows from the pump house to the SSTs (Sludge Storage Tank) was clogged with grit and grease. In order to address the clog, the primary waste line was plumbed to the secondary waste line. It took several days to get the line unclogged. Process control remained in check throughout the evolution.
- St. Hilaire Roofing Service, Lewiston, ME was on site to address a water leak over the press room.

District Manager **Gallant** provided a summary of selected items from the Manager's Report as detailed in Attachment #5 (Manager's Report for April 2025), of the April 2025 Trustees Packet. His comments included the following topics and highlights:

## 2022 CAPITAL IMPROVEMENT PROJECTS

### Phase 2 WWTP Biological Design

- Brown and Caldwell, Andover, MA has completed the 100% design draft and submitted it to KSD staff for review.
- Comments from KSD are due back by April 18, 2025.
- A workshop has been scheduled for April 30, 2025.
- KSD and Brown and Caldwell staff met with Maine Department of Environmental Protection (DEP) during the week of March 24, 2025, to review the plans. Maine DEP confirmed that no further review is required.

District Manager **Gallant** opened a discussion regarding the impact of new building codes adopted by the state of Maine which may affect the project. The discussion included the following topics and highlights:

- On January 9, 2025, the state of Maine adopted new building codes going from 2015 codes to 2021 codes.
- The biggest changes to the code are energy efficiencies, especially with insulation, and seismic loading.
- If KSD is required to follow the 2021 codes, additional insulation and thicker walls would need to be added to the plan.
- A new edition of building codes, 2024, is also available which is less stringent than the 2021 codes.
- The town of Kennebunk is open to using the 2024 codes as a best management practice.
- Mark K. **Allenwood**, Project Manager, Brown & Caldwell, Andover, MA, is evaluating the impact of different codes and will be present at the next meeting to discuss his findings.

Vice Chairman **Wise** asked if a change order was needed for Project Manager **Allenwood** to evaluate the codes. District Manager **Gallant** replied in the negative stating that it's part of the design contract.

District Manager **Gallant** opened a discussion regarding bonding choices for the project. The discussion included the following topics and highlights:

- Four bonding scenarios were provided by James M. **Saffian**, Partner, Pierce Atwood LLP, Portland, ME and Joseph P. **Cuetara**, Broker, Senior Vice President and Manager, Investment Banking, Moors & Cabot, Inc. Boston, MA.
- The four scenarios are a various combinations of bonds and B.A.N.s (Bond Anticipation Note). A B.A.N. is a note where just interest is paid, no principal, a construction loan.
- The four scenarios' effect on KSD's rate projections were illustrated.
- A Board decision will not be needed until July 2025.
- The next meeting with the bond counselors is scheduled for the week of April 14, 2025.
- An updated presentation regarding bonding choices will be on the agenda for the May 2025 meeting.

Project Manager **Johnson** provided a summary of selected items from the Manager's Report as detailed in Attachment #5 (Manager's Report for April 2025), of the April 2025 Trustees Packet. His comments included the following topics and highlights:

## 2023 CAPITAL IMPROVEMENT PROJECTS

### Lower Village Sewer Design

- The Town of Kennebunk issued a road opening permit, and the project has begun.

### **Emergency Backup Power**

- All Emergency generators have been installed and are fully operational.

### **2024 CAPITAL IMPROVEMENT PROJECTS**

#### **Sludge Tank Diffusers**

- All diffusers have been installed.

#### **Investigation and Spot Repairs in Collection System**

- N.M. Curtis Earth Works INC. Berwick, ME, will install the manhole replacement for Wallace Ave by the end of May 2025.

### **2025 CAPITAL IMPROVEMENT PROJECTS**

#### **Investigation and Spot Repairs in Collection System**

- Staff is putting together a list of items for spot repairs and manhole linings.
- Staff will start to camera selected clay lines at the end of April. 2025.

#### **Fieldcrest Pump Station Upgrade**

- All items have been ordered.
- Pump delivery is expected by the end of April 2025.
- The project is scheduled to begin in late spring or early summer 2025.

Chairman **Wiley** asked if electrical service was being upgraded to 480 VAC.  
Project Manager **Johnson** replied in the affirmative.

#### **Mousam Landing Pump Station upgrade**

- No action since last month.
- The new pumps and valves have been received.
- Staff anticipates installation during May 2025.

#### **WWFT Improvements**

- EII (Electrical Installations, LLC), Moultonboro, NH has ordered parts for the DO (Dissolved Oxygen) probes.

#### **Replace insulation on plant HVAC Ducting**

- Tri-State Insulation, Inc. Lewiston, ME is expected to confirm a schedule within the next two weeks.

#### **Coating of Grit Chamber**

- Marston Industrial Services, Inc., Fairfield, ME is scheduled for this project in the summer of 2025.

#### **Gas Detector and Lights in SST's**

- EII (Electrical Installations, LLC), Moultonboro, NH has ordered parts and will schedule installation once they arrive.

#### **Pump Station Charger upgrade**

- Parts have been ordered.

#### **Western Ave Construction**

- This project was updated earlier in the meeting.

#### **Biological upgrade**

- This project was updated earlier in the meeting.

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

**Agenda Item – (Adjournment) #8:** Adjournment

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

**A motion was made to adjourn the meeting at 8:29 p.m.**

**MOVED:**       **Wise**

**SECONDED:**   **Brockway**

**DISCUSSION:** **None.**

**MODS:**       **None.**

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

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

Robert **Brady**, Clerk \_\_\_\_\_



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

<b><u>Request Date</u></b>	<b><u>Action Item</u></b>
<b>April 8, 2025</b>	Agenda Item # 1: Topic <b><u>Solar Energy Options.</u></b> Description: <b>Explore options for a solar energy installation at the administration building, 44 Water Street.</b>
<b>Date</b>	Agenda Item #__: Topic_____. Description _____.