

TOWN OF KENNEBUNKPORT, MAINE

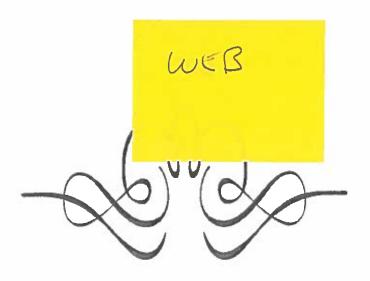
- INCORPORATED 1653-MAINE'S FINEST RESORT

Board of Selectmen Agenda Village Fire Station – 32 North Street June 9, 2016 – 7:00 PM

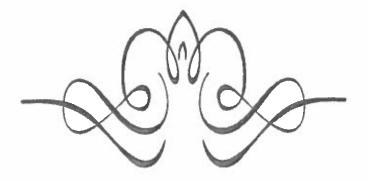
- 1. Call to Order.
- 2. Approve the May 23 and 26, 2016, selectmen meeting minutes.
- 3. Public Forum (This is an opportunity for anyone who wants to address the Board of Selectmen with any issue that is not on the agenda.)
- 4. Consider a renewal liquor license application submitted by US Hotels New England LLC, US Hotels New England Management Corp, d.b.a. The Breakwater Inn, 133 Ocean Avenue.
- 5. Consider a renewal special amusement permit submitted by US Hotels New England LLC, d.b.a. The Breakwater Inn, 133 Ocean Avenue.
- 6. Consider an application from Eco-Analysts, Inc. on behalf of Geoff, Justin, and Andrew Molson for a proposed 4 ft by 44 foot pier, ramp, and float located at 55 Maine Street.
- 7. Presentation of sewer rate study by Steve Clifton of Underwood Engineers.
- 8. Discussion of donation from Cape Porpoise Fire Company of engine for Cape Porpoise fire boat.
- 9. Discuss drone signage at Goose Rocks Beach.
- 10. Other business.
 - a. Consider alternative date for June 23 Selectmen's Meeting and discuss summer schedule.

01016 - Tel. (207) 067-1243 Fov. (207) 067-8470

- 11. Approve the June 9, 2016, Treasurer's Warrant.
- 12. Adjournment.



Agenda Item Divider





Agenda Item Divider

-06/100-

Town of Kennebunkport Board of Selectmen Site walk May 23, 2016 6 p.m. – 64 Langsford RD, Cape Porpoise

Minutes of the Selectmen's Meeting of May 23, 2016

Selectmen attending: Stuart E. Barwise, Patrick A. Briggs, Allen A. Daggett, Ed Hutchins, and Sheila Mathews-Bull

Others: Ralph Austin, Bud Brown, Sandra Guay, Tim Harrington, Kevin Harrington, Lee McCurdy, Laurie Smith, and others

1. Call to Order.

Chair Matthews-Bull called the meeting to order at 6 PM.

2. Site walk at 64 Langsford Road regarding application submitted by Eco-Analysts, Inc. on behalf of Tim Harrington to place a dock with associated ramp and float.

Bud Brown of Eco-Analysts gave an overview of the site and answered questions.

3. Approve the May 23, 2016, Treasurer's Warrant.

Motion by Selectman Hutchins, seconded by Selectman Briggs, to approve the May 23, 2016, Treasurer's Warrant. **Vote**: 5-0.

4. Adjournment.

Motion by Selectman Barwise, seconded by Selectman Daggett, to adjourn. **Vote**: 5-0.

The meeting adjourned at 6:47 PM.

Submitted by

Laurie Smith Town Manager

Town of Kennebunkport Board of Selectmen Meeting Village Fire Station-32 North Street May 26, 2016 - 7:00 PM

Minutes of the Selectmen Meeting of May 26, 2016

Selectmen present: Stuart E. Barwise, Patrick A. Briggs, Allen A. Daggett, and Edward W. Hutchins, Sheila Matthews-Bull

Others present: Travon Bradford, Carol Cook, Michael Davis, Bill Junker, Lee McCurdy, Arlene McMurray, Allan Moir, Laurie Smith, and others

1. Call to Order.

Chair Matthews-Bull called the meeting to order at 6:01 PM.

2. Approve the May 10, and 12, 2016, selectmen meeting minutes.

Motion by Selectman Daggett, seconded by Selectman Barwise, to approve the May 10, 2016, selectmen meeting minutes. **Vote**: 5-0.

Motion by Selectman Hutchins, seconded by Selectman Barwise, to approve the May 12, 2016, selectmen meeting minutes. **Vote**: 5-0.

3. Public Forum (This is an opportunity for anyone who wants to address the Board of Selectmen with any issue that is not on the agenda.)

David James asked for an update on the sidewalk on North Street.

Chair Matthews-Bull announced that the 2015 Town Report is dedicated to President Bush, Allan Moir, and Carol Cook. She read excerpts from their dedication.

4. Public Hearing to consider applications for victualer's licenses for the period from June 1, 2016, through May 31, 2017.

Chair Matthews-Bull opened the public hearing at 7:12 PM. Hearing no comments, she closed the public hearing at 7:12 PM.

Motion by Selectman Barwise, seconded by Selectman Hutchins, to approve the applications for victualer's licenses for the period from June 1, 2016, through May 31, 2017. **Vote**: 5-0.

Items 5 and 6 were only placed on the agenda to make sure Carol Cook and Allan Moir attended the meeting, so the Board could announce the town report dedication to them.

5. Report from Parks and Recreation Director Carol Cook on the addition of programs for adults and youth.

- 6. Report from Wastewater Superintendent Allan Moir on wastewater bond projects.
- 7. Consider an application from Eco-Analysts, Inc. on behalf of Tim Harrington for a proposed 4 ft by 36 ft pier with associated ramp and float located at 64 Langsford Road, Cape Porpoise.

Bud Brown from Eco-Analysts explained the pier proposal.

Motion by Selectman Barwise, seconded by Selectman Hutchins to approve Tim Harrington's application for a pier with associated ramp and float on 64 Langsford Road to move forward to the Planning Board process. **Vote**: 5-0.

8. Approve the Cape Porpoise Pier Budget.

Harbormaster Lee McCurdy explained his budget.

Motion by Selectman Hutchins, seconded by Selectman Daggett, to approve the Cape Porpoise Pier Budget. **Vote**: 5-0.

9. Report from Parks and Recreation Director Carol Cook on potential grant application for amenity improvements at Rotary Park.

Parks and Recreation Director Carol Cook explained that the grant application is to put in a restroom at Rotary Park and Beachwood, and nothing else.

Discussion followed with concern about putting in a trail near town facilities. Ms. Cook assured them the grant has nothing to do with putting in a trail.

The Board is agreeable with putting in a restroom. This item did not require a vote.

10. Sign the supplemental Certificates of Commitment of Sewer User Rates.

Town Manager Laurie Smith stated this supplement is for a bill that was not included in the original commitment due to a computer problem.

Motion by Selectman Hutchins, seconded by Selectman Daggett, to approve the supplemental Certificates of Commitment of Sewer User Rates. **Vote**: 5-0.

11. Discussion of drone signage at Goose Rocks Beach.

Ms. Smith said she discussed signage with the town attorney, and she is comfortable with the language of the draft in the Board's packet. (See Exhibit A).

She said the Goose Rocks Beach Advisory Committee suggested a sign that says "Drones not welcome at Goose Rocks Beach." The town attorney advised that their sign would not be appropriate since there are no rules and regulations, or ordinances to enforce this.

Discussion followed regarding signage such as: leave the picture of the drone, remove the red circle and red line, and mark an X on the drone; not even putting up a sign; a 'No drones at the beach" sign; keep the words and remove the picture; and the sign needs to be simple.

The Board will discuss this further after the Beach Advisory Committee considers these suggestions.

12. Authorize municipal quit claim deed for the Heirs of Grace Brennan, 2 Mt. Kineo Road.

Motion by Selectmen Hutchins, seconded by Selectman Barwise, to authorize the municipal quit claim deed for the Heirs of Grace Brennan, 2 Mt. Kineo Road. **Vote**: 5-0.

13. Other business.

Selectmen Briggs announced that they appreciate Allan Moir and Carol Cook's years of service to the Town.

Chair Matthews-Bull wished everyone a safe and happy Memorial Day weekend.

Ms. Smith announced that:

- Absentee ballots are available at the Town Clerk's office.
- The last day to request an absentee ballot for the upcoming election is June 9.
- The Town Clerk will hold evening hours at the town hall on Wednesday, June 8, from 4:30 PM to 6:30 PM.
- There will be a site walk regarding a dock application on June 6, at 5:30 PM, at 55 Maine Street.

14. Approve the May 26, 2016, Treasurer's Warrant.

Motion by Selectman Daggett, seconded by Selectman Hutchins, to approve the May 26, 2016, Treasurer's Warrant. **Vote**: 5-0.

Selectmen's Meeting 15. Adjournment.

Motion by Selectman Hutchins, seconded by Selectman Barwise to adjourn.

The meeting adjourned at 7:45 PM.

Submitted by

Arlene McMurray Administrative Assistant Beach use is through a public-private partnership.

Please respect the privacy and tranquility of

Goose Rocks Beach through NO DRONE use





Agenda Item Divider



4

The Breakwater Inn

This application has been reviewed and approved by the following Municipal Officials, whose signatures are on file with the Town Clerk:

Police Chief

Fire Inspector

Code Enforcement Officer

Lapul Dufal Town Clerk



BUREAU OF ALCOHOLIC BEVERAGES DIVISION OF LIQUOR LICENSING & ENFORCEMENT 8 STATE HOUSE STATION AUGUSTA, ME 04333-0008

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded.

To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.



DEPARTMENT USE O	NLY
LICENSE NUMBER:	CLASS:
DEPOSIT DATE	
AMT. DEPOSITED:	BY:
CK/MO/CASH:	70.2

PRESENT LICENSE EXPIRES 7/12/14

INDICATE TYPE OF PRIVILEGE: \nearrow MALT \nearrow SPIRITUOUS \nearrow VINOUS

INDICATE TYPE OF LICENSE:

□ RESTAURANT (Class I,II,III,IV)

HOTEL-OPTINONAL FOOD (Class I-A)

- □ CLASS A LOUNGE (Class X)
- CLUB (Class V)

- → HOTEL (Class I,II,III,IV)
- GOLF CLUB (Class I,II,III,IV)
- OTHER:

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MU	JST BE ANSWERED IN FULL
1. APPLICANT(S) – (Sole Proprietor, Corporation, Limited	2. Business Name (D/B/A)
Liability Co., etc.) 15+10+e15 New Englar DOB:	The Breakwater Fro
US thatels Now England DOB:	
DOB:	Location (Street Address) 133 Ocean Ave
Address	City/Town State Zip Code
Par Berto	Mailing Address PO BOX M
City/Town State Zip Code	City/Town State Zip Code
Kennebunkport ME Oyayu	Kennebunkocit ME O'LOYLO
Telephone Number Fax Number	Business Telephone Number Fax Number
(JO) 1807-3230 (JE) 76-7-101245	(201) 967-5333 (201) 967-0675
Federal I.D. #	Seller Certificate # しょうとうとう
CO-00-850009	

EMAIL ADDRESS: Ltarton@thebreakwaterinn-com

- 3. If premises is a hotel, indicate number of rooms available for transient guests:
- 4. State amount of gross income from period of last license: ROOMS \$1,309,188 FOOD \$471,619 LIQUOR \$ 285,866
- 5. Is applicant a corporation, limited liability company or limited partnership?

YES 🍇 NO 🕹

If YES, complete Supplementary Questionnaire



Agenda Item Divider





TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653-MAINE'S FINEST RESORT

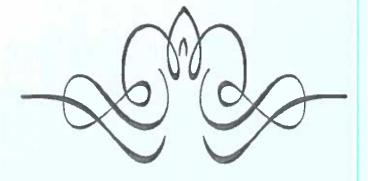
APPLICATION

SPECIAL AMUSEMENT PERMIT FOR DANCING AND ENTERTAINMENT

Name of Applicant US + ictels New England LCC
Residence Address PO Box M Kennebunkpert, HE OHOUR
Home Telephone Number (207) 967-5333
Name of Business The Breakwater Inn
Business Address 133 Ocean Ave. Kennebunkpat. ME Choyle
Type of Business <u>+ lotal</u> and restaurant
Business Telephone Number (201) 967-5333
Nature of Special Amusement Live music, Sancing
Has your liquor and or amusement license ever been denied or revoked?
Yes NoX
If yes, describe circumstances specifically. (Attach additional page if necessary)
 Permit Fee: \$ 50.00 (payable to the Town of Kennebunkport) By making application for this permit and signing this application form, I
acknowledge that I am familiar with the rules and regulations governing this permit.
applicant
аррисан



Agenda Item Divider





TOWN OF KENNEBUNKPORT, MAINE

- INCORPORATED 1653-MAINE'S FINEST RESORT

Town of Kennebunkport

PUBLIC NOTICE

In response to an application to construct a 4 ft by 44 ft pier with associated ramp and float, the Harbormaster and the Kennebunkport Board of Selectmen in compliance with 38 M.R.S.A., Section 1022, will conduct a site walk on Monday, June 6, 2016, at property owned by Geoff, Andrew, and Justin Molson, 55 Maine Street. The site walk is scheduled at 5:30 PM. The application is available for review at the Town Office, 6 Elm Street, Kennebunkport.



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- INCORPORATED 1653 -MAINE'S FINEST RESORT

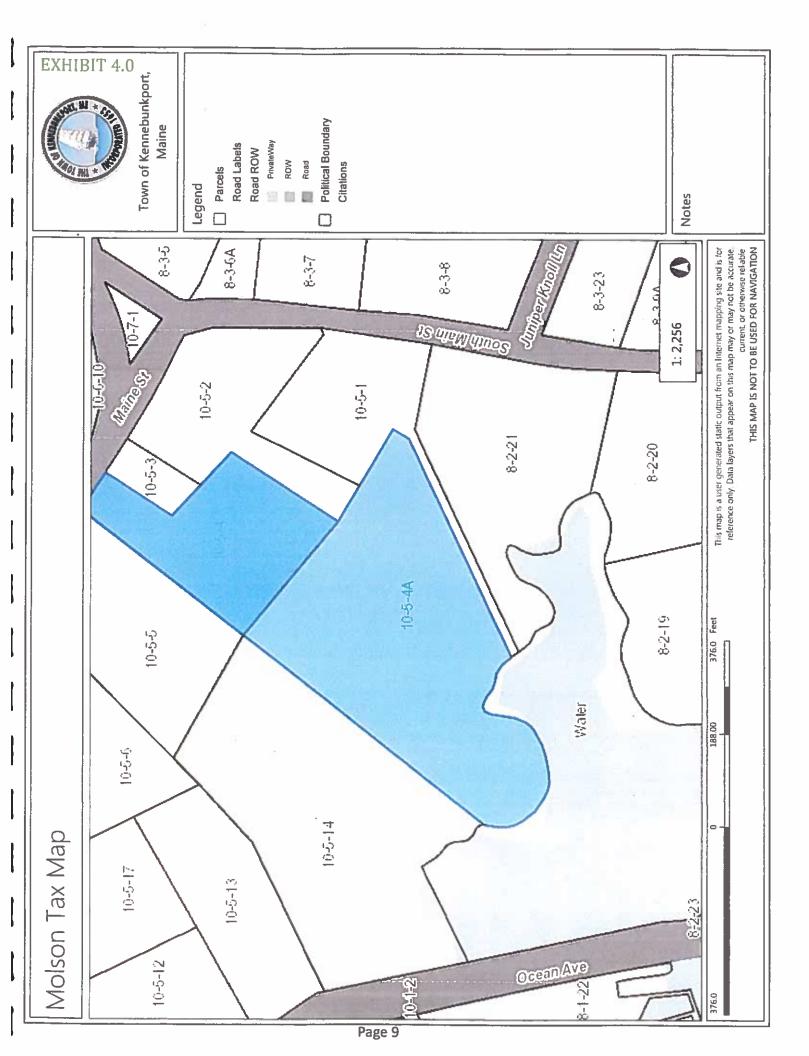
NOTICE TO ABUTTERS RECEIPT OF APPLICATION FOR SELECTMEN REVIEW WHARVES, DOCKS AND PIERS

You are receiving this notice of Site Walk because you are an abutting property owner.

Date: <u>June 1, 2016</u>

In accordance with Title 38 Section 1022 M.R.S.A., the Kennebunkport Board of Selectmen has received an application for review from **Eco-Analysts, Inc. on behalf of Geoff, Justin, and Andrew Molson.** The subject property is located on **55 Maine Street, Kennebunkport, Maine,** identified as Assessor's Tax Map **10**, Block **5**, Lots **4 & 4A**. Our records indicate that you own property within 200 feet of the proposed site. A copy of the tax map is enclosed to assist you in locating the proposed site. The applicant proposes to construct a 4 ft x 44 ft pier with associated ramp and float. The application is for review at the Kennebunkport Town Office.

All Site Walks regarding the placement of a Wharf, Dock or Pier are open to the public. The Site Walk for this application is scheduled for Monday, June 6, 2016, at 5:30 P.M.





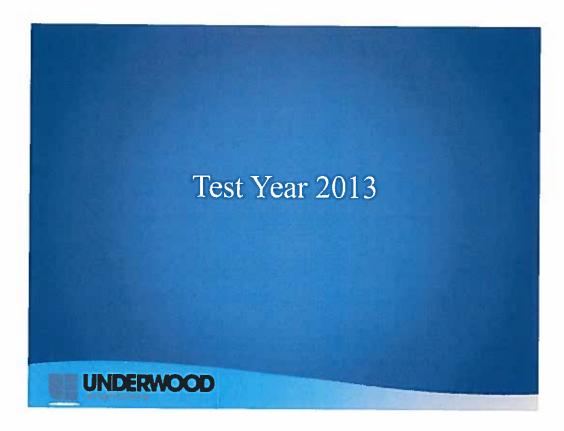
Agenda Item Divider

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Kennebunkport Sewer Department Sewer Rate Study

June 9, 2016 Steve Clifton, P.E Underwood Engineers, Inc Portsmouth, NH.



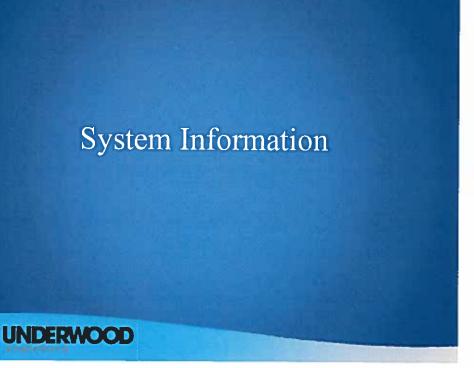
Test Year 2013

- Obtained Kennebunk, Kennebunkport, Wells (KKW) Water District data including account consumption, user class, type and meter size
- Wastewater Treatment Plant Data

Revenue Requirements in 2013

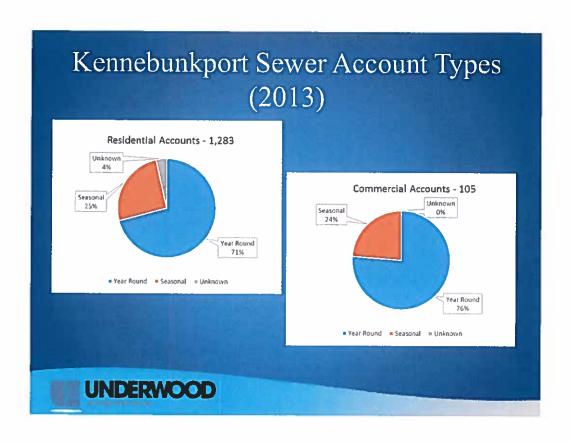
Average Revenue Required based on average of 2013 and 2014 Budget - \$1,114,180

• 2013 billed consumption – 11,426,250 c.f.



Kennebunkport Sewer Accounts (Year 2013)

Class	Reside	ential	Commercial		Total		
	Accounts	Sewer Units	Accounts	Sewer Units	Accounts	Sewer Units	
Year Round	909	1,064	80	774	989	1,838	
Seasonal	328	364	25	142	353	506	
Unknown	46	52	0	0	46	52	
Total	1,283	1,480	105	916	1,388	2,396	



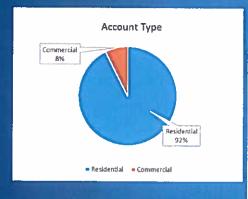
Residential and Commercial Water Usage

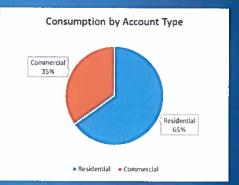
Account Type	Number of Accounts	Water Usage (CF)	% of Usage	e No. of ERU's*		
Residential	1,283	7,435,550	65 %	1,179		
Commercial	105	3,990,700	35%	633		
Total	1,388	11,426,250	100%	1,812		

CF – Cubic Feet (7.48 gallons) ERU – Equivalent Residential Unit

UNDERWOOD

Residential and Commercial Water Usage





Capital Improvements Program (CIP)

Funded through Bonded Debt and Town Tax Rate

- \$2M 2017 PS Upgrades, WWTF Upgrades
- \$7M Sewer Lines >= YR 2025
- Past practice is for 60% to go on tax rate and 40% on sewer user rate

UNDERWOOD

The Yard Stick

Kennebunkport Sewer Department <u>Equivalent Residential User (ERU)</u>

- Average consumption from a year-round residence
- Can be used as the yardstick for comparing different users to the average

UNDERWOOD

Kennebunkport Sewer Department

Equivalent Residential User (ERU)

- For the Test Year 2013, the average residential user was billed 6,305 cubic feet.

6,305 cubic feet per year

41,161 gallons per year

129 gallons per day

Cost of Service

- Flow = 50% of budget, Cost = \$0.04876 per c.f.
- BOD = 25% of budget, Cost = \$0.59 per pound of BOD
- TSS = 25% of budget, Cost = 0.80 per pound of TSS

Assuming ERU with a water usage of 6,305 c.f., BOD₅ of 190 mg/L, and TSS of 210 mg/L

Total cost of service = \$417 per year
In evaluating billing methods, this is the cost which we are trying to achieve and is the most equitable

UNDERWOOD

Budget
Fixed and Variable Costs

Fixed and Variable Cost Allocations

- 85% Fixed costs, assuming labor is fixed
- 15% Variable costs
- 2013 total budget = \$1,114,180

UNDERWOOD

Kennebunkport Sewer Department

Fixed and Variable Cost Allocations

- Fixed Costs = $0.85 \times 1,114,180 = \$947,053$
- Non-user revenue (assumed fixed) = \$117,000
- Cost of KKW data (assumed fixed) = \$8,842
- Net fixed budget = \$947,053 \$117,000 + \$8,842 = \$838,895
- Variable Costs = $0.15 \times \$1,114,180 = \$167,127$

Billing Methods

UNDERWOOD

Kennebunkport Sewer Department

Four Alternative Billing Methods presented

- 1. Flat Rate per sewer unit
- 2. Sewer Unit and Consumption
- 3. Meter Size and Consumption
- 4. Town Staff Method (Similar to Wells Sewer District)
- Billing Methods must generate the same revenue requirements (\$997,180)

Flat Rate Billing Method per Sewer Unit

UNDERWOOD

Kennebunkport Sewer Department

Flat Rate Billing Method

- \$416 per sewer unit
- 1,388 accounts yield 2,396 Sewer Units
- 2,396 sewer units on the system
- Cost per Sewer Unit = $\frac{\$997,180}{2,396 \, Sewer \, Units} = \416

Sewer Unit and Consumption Rate Billing Method

UNDERWOOD

Kennebunkport Sewer Department

Sewer Unit and Consumption Rate Billing Method

- · Fixed costs on Sewer Unit
 - -\$350 per sewer unit

 $\frac{$838,895}{2,396 \, Sewer \, Units} = $350 \, per \, sewer \, unit$

- Variable costs on consumption
 - $-\$167,127 \div 11,426,250 \text{ c.f} = \$0.0146 \text{ per cubic foot}$ of water (7.48 gallons)
 - 11,426,250 cf x 0.0146 per c.f. = \$167,127

Meter and Consumption Rate Billing Method

- Fixed costs on meter size
- Meter size ratio per AWWA
- Variable costs on consumption

UNDERWOOD

Kennebunkport Sewer Department

Meter and Consumption Rate Billing Method

• Meter size ratio per AWWA

Meter Size	Demand Charge
5/8 inch meter	1.0
3/4 inch meter	1.1
1 inch meter	1.4
1 ¹ / ₂ inch meter	1.8
2 inch meter	2.9

Meter and Consumption Rate Billing Method

- Fixed costs on meter size
 - Number of Equivalent Meters (5/8 in)
 - 1.414 Equivalent Meters
 - $\frac{$838,895}{1,414 \, Equivalent \, Meters} = $593 \, per equivalent meter$
 - $1.414 \times $593 = $838,895$
 - Variable costs on consumption
 - \$167,127÷11,426,250 c.f = \$0.0146 per cubic foot of water (7.48 gallons)
 - \$0.0146 per cubic foot x 11,426,250 cf = \$167,127



Kennebunkport Sewer Department

Town Staff Method (Wells Sewer District)

- Three components and associated budget:
 - Debt Service \$50,147
 - Support Systems \$788,748
 - Variable O&M \$167,127
 - Debt Service and Support System are associated with fixed costs and are equal to the net fixed budget.



Town Staff Method (Wells Sewer District)

- Component cost based on water units
 - Water units per account = e.f used per account + e.f used per average year round residential user (6,305 e.f.)
 - Minimum of 1 water unit per account
 - Total water units = 2,308
- Debt retirement = $$50,147 \div 2,308 = 21.73 per water unit
- Support Systems = \$788,748 ÷ 2,308 = \$341.79 per water unit
- Variable $O&M = $167,127 \div 2,308 = 0.0146 per c.f.



Kennebunkport Sewer Department

User Rate Impacts for ERU (2013)

Billing Method	Consumption	Sewer Units	Meter Size	Annual Cost	New Cost	% Change
Existing Flat Rate (Adjusted)	6,305 CF	1	5/ ₈ in	\$416	\$416	0%
Sewer Unit & Consumption	6,305 CF	1	5/ ₈ in	\$416	\$442	6%
Meter & Consumption	6,305 CF	1	5/8 in	\$416	\$685	65%
Town Method	6,305 CF	1	5/ ₈ in	\$416	\$456	10%

Note: The estimated true cost based on flow and strength is \$417 per year See Handout – Table 3.7 in Report



Table 3.7 Selected Sewer User Bills for 2013 Rate Models

Description	Sewer Units	Meter Size	Annual Cubic Feet	Annual Cost (Current- Adjusted)	Annual Cost (Proposed)	%increase
Proposed Rate Increase						
Residential Single Unit (Very low u	ser)					
Existing Flat Rates (Adjusted)	1	5/8"	1,800	\$416	\$416	0%
Sewer Unit and Consumption	1	5/8"	1,800	\$416	\$376	-10%
Meter and Consumption	1	5/8"	1,800	\$416	\$620	49%
Town Model	1	5/8"	1,800	\$416	\$390	-6%
Residential Single Unit (Average EF	tick a data with 1 dayment and property and probability " other man "		1			
Existing Flat Rates (Adjusted)	1	5/8"	6,305	\$4 16	\$416	0%
Sewer Unit and Consumption	1	5/8"	6,305	\$416	\$442	6%
Meter and Consumption	1 1	5/8"	6,305	\$416	\$685	65%
Town Model	1	5/8"	6,305	\$416	\$456	10%
Residential Single Unit (Higher use)	1					
Existing Flat Rates (Adjusted)	1	5/8"	21,500	\$416	\$416	0%
Sewer Unit and Consumption	1	5/8"	21,500	\$416	\$665	60%
Meter and Consumption	1	5/8"	21,500	\$416	\$908	118%
Town Model	1	5/8"	21,500	\$416	\$1,554	274%
Residential Double Unit (ERU Flow) Existing Flat Rates (Adjusted) Sewer Unit and Consumption Meter and Consumption Town Model	2 2 2	5/8" 5/8" 5/8"	6,305 6,305 6,305	\$832 \$832 \$832	\$832 \$792 \$685	0% -5% -18%
Town Model	2	5/8"	6,305	\$832	\$456	-45%
Commercial (Very Low User) Existing Flat Rates (Adjusted)	1	5/8"	2,000	\$416	\$416	0%
Sewer Unit and Consumption	1	5/8"	2,000	\$416	\$379	-9%
Meter and Consumption	1	5/8"	2,000	\$416	\$622	50%
Town Model	1	5/8"	2,000	\$416	\$393	-6%
Commercial (Moderate Flow)						7
Existing Flat Rates (Adjusted)	4	5/8"	11,200	\$1,665	\$1,665	0%
	4	5/8"	11,200	\$1,665	\$1,564	-6%
Sewer Unit and Consumption	7	_	11,200	\$1,665	\$757	-55%
Sewer Unit and Consumption Meter and Consumption	4	5/20"		# 1,000	3/3/1	-33%
Meter and Consumption	4	5/8"				E40/
Meter and Consumption Town Model	4	5/8"	11,200	\$1,665	\$810	-51%
Meter and Consumption Town Model Commercial (Very High User)	4	5/8"	11,200	\$1,665	\$810	
Meter and Consumption Town Model Commercial (Very High User) Existing Flat Rates (Adjusted)	18	5/8" 3/4"	11,200 99,900	\$1,665 \$7,491	\$810 \$7,491	0%
Meter and Consumption Town Model Commercial (Very High User) Existing Flat Rates (Adjusted) Sewer Unit and Consumption	18 18	5/8" 3/4" 3/4"	99,900 99,900	\$1,665 \$7,491 \$7,491	\$810 \$7,491 \$7,763	0% 4%
Meter and Consumption Town Model Commercial (Very High User) Existing Flat Rates (Adjusted)	18	5/8" 3/4"	11,200 99,900	\$1,665 \$7,491	\$810 \$7,491	-51% 0% 4% -72% -4%

Recommendations

- 1. Stay with current method of billing using a flat rate per sewer unit
- 2. Identify causes of high strength waste and Institute a surcharge system for high strength waste
- 3. Raise septage fees to \$155 per 1,000 gallons
- 4. Raise rates in anticipation of rising costs