

KWD Board of Trustees Meeting March 5, 2020

Meeting called to order at 7 a.m. with Trustees Julia O'Connell, Caroline Rose and Jim Golter and Supt. Mike Rogers present. Mission Statement read. Agenda reviewed and adopted.

Secretary's report read by Trustee O'Connell and accepted.

Treasurer's report read by Trustee Golter and accepted.

Submitted bills were reviewed and payroll and accounts payable checks were signed by trustees.

Keller Williams Commercial, Maine Vision Holdings (MVH), LLC "Letter of Intent" Discussion

17 person petition from water users requesting a public hearing re: development of KWD property at 15-17 State Rd, Kittery, received and acknowledged. Public hearing to be scheduled at KCC, probable date sometime in April. Kittery Town manager, Kendra Amaral, states that the town will cover the room rental fee. Thank you Kendra.

Letter to the editor of Portsmouth Herald dated Saturday Feb. 29, 2020 from Dr Jen Brewer "Development of Kittery Water District" which urges trustees to foster substantive citizen discussion of multiple options for our publicly owned property was read into the record.

MVH, LLC requests that trustees work with KWD legal counsel to draft revised LOI. Bill Wagner of MVH, LLC states that PNSY will be asked to commit to a long term lease arrangement that can be used to enable other construction....Costs may be prohibitive for affordable housing, and Maine Housing can be part of the plan.

Trustees questions/concerns: What has been completed since the LOI was first signed 180 days ago? The revised LOI should include affordable housing clause per Trustee O'Connell. How does MVH plan to address existing tax lean (2019) on 98 Dennett Rd. that is the proposed property offered to be swapped. There have been many changes since it was signed on 9/9/2019 that need to be addressed. Consider other options for where to move KWD. What aspects of the LOI are legally binding language?

Public comments included the following: Why does KWD want to move? Requests for other proposals should be considered. Sunshine laws required in this process should be adhered to. Since this is a considerable investment in our future the public should be informed and what are the best ways to inform the public? What is the role of KWD attorney to insure that information on LOI is correct and complete? There should be a sincere effort to get public input.

Publicity can be enhanced by making statement at Kittery Town Council meeting by KWD and request that it be put on agenda in advance. Public meeting to be scheduled after March 19, 2020.

Trustee O'Connell makes a motion to postpone signing the LOI in its present form. Trustee Rose seconds and vote is unanimous.

Reviewed PNSY payment history.

1 of 2

KWD BOT Minutes March 5, 2020 continued p. 2

"Charter Progress" statement crafted by KWD BOT to be distributed to Portsmouth Herald and posted on KWD website. (see below)

Motion to accept made by Trustee O'Connell seconded by Trustee Rose, unanimous vote.

"Charter Progress" Any charter revision needs to be passed by the State of Maine Legislature. Our first attempt to revise the original 1907 charter has been withdrawn from consideration by unanimous vote of the Board of Trustees because it faced significant legal challenges. We will continue to work towards providing water users with a charter to expand voting rights. Public input is welcome. Please contact crosekwd@gmail.com. The upcoming 2020 election will be using the original charter.

Public statement to be presented at town council meeting and will be requested to be added to agenda.

Outside **website** reviewed and Motion made by Trustee Rose to accept proposal for website support totaling \$865. Seconded by Trustee Golter. Passes unanimously.

Training class request reviewed for \$120 for Mark Rouillard to attend Instrumentation, Control Networks SCADA review class April 9, 2020 in Springvale, Maine. Motion made to approve request by Trustee Rose, seconded by Trustee Golter, passes unanimously. Supt Rogers agrees to ask to have Mark Rouillard share information from training with other water operators

Discussion about **CD Ladder** postponed until March 12, 2020 BOT meeting.

Review of Gary's Watershed Patrol Reports postponed until March 12, 2020 BOT meeting.

Open Discussion Supt. Rogers reports KWD pick up truck damaged on 3/2/2020 when it hit I beam while being backed into garage. \$2750 in damage estimate per Ben's Auto Body. (\$1000 deductible) Motion made by Trustee Rose to schedule repairs at Ben's Auto Body. Seconded by Trustee Golter, passes unanimously.

Supt Rogers reports that one laborer truck driver has quit this week. No reason given for leaving. Trustee O'Connell requests that worker be given exit interview form from our personnel manual to fill out voluntarily.

2020 ten year Master Plan review by Trustees. Trustee O'Connell makes motion for BOT to discuss trustees role on March 12, 2020 BOT meeting. Trustee Rose seconds. Passes unanimously.

Members of public in attendance: Tess Schieir, Judy Quinby, Celina Adams, Gary Mitchell, Jenny Freeman, Jeff Thomson, Kendra Amaral, Bill Pagum, Justin Lamkin and Bill Wagner.

Meeting adjourned at 9:15 a.m.

Public comment: Suggestion made to have work session about Parking garage with no decision made for three months to allow for alternatives to be explored.

Disclaimer The above minutes constitute the author's understanding of the meeting. While every effort has been made to ensure the accuracy of the information, the minutes are not intended as a verbatim transcript of comments at the meeting, but is a summary of the discussion and actions that took place. Respectfully submitted, Julia O'Connell, Clerk

