

KITTERY WATER DISTRICT
BOARD OF TRUSTEES
MEETING MINUTES - JANUARY 19, 2022

Date: January 19, 2022

Time: 8:00 a.m.

Place: Virtual, Zoom

Trustees Present: Golter, Gray, O'Connell, Perry

Trustees Absent: Pelkey

Motion #20220119-01: Move to replace the current secretary and nominate Bob Gray to assume this position

Moved by: Perry **Seconded by:** Golter

Affirmative Votes: Golter, Gray, Perry **Negative Votes:** O'Connell

Motion #20220119-02: Move to appoint Bob Gray to work with District staff on Notification System Working Group

Moved by: Golter **Seconded by:** Perry

Affirmative Votes: Golter, Gray, O'Connell, Perry **Negative Votes:** None

Motion #20220119-03: Motion to pay bills (Jan 5 & Jan 19)

Moved by: Golter **Seconded by:** Gray

Affirmative Votes: Golter, Gray, O'Connell, Perry **Negative Votes:** None

Motion #20220119-04: Motion to reinstitute a letter of intent to Maine Vision Holdings (MVH) for a period of one (1) year to pursue their concept of providing KWD with a new turn-key facility in exchange for our existing site at 17 State Road Kittery Maine.

Moved by: Perry **Seconded by:** Golter

Secondary Motion #20220119-04a: To Table

Moved by: O'Connell **Seconded by:** Gray

Affirmative Votes: O'Connell **Negative Votes:** Golter, Gray, Perry

Affirmative Votes: Golter, Gray, Perry **Negative Votes:** O'Connell

Motion #20220119-05: The Kittery Water District Board of Trustees moves to dispense with voting on paying the District's bills.

Moved by: Gray **Seconded by:** Golter

Affirmative Votes: Golter, Gray, Perry **Negative Votes:** O'Connell

Motion #20220119-06: The Kittery Water District Board of Trustees moves to reduce the text of written minutes of its meetings to what is required by MRS Title 1, Chapter 13, §403.2(A), (B) and (C).

Moved by: Gray **Seconded by:** Golter

Affirmative Votes: Golter, Gray, Perry **Negative Votes:** **Abstained:** O'Connell

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Motion #20220119-07: The KWD trustees move to authorize the board President and Superintendent to seek legal counsel when deemed necessary to legally direct the board in the performance of their duties. This shall become a standing rule.

Moved by: Perry **Seconded by:** Gray

Affirmative Votes: Golter, Gray, Perry **Negative Votes:** O'Connell

Motion #20220119-08: I make a motion that the Board of Trustees shall decide when to authorize the board president or the superintendent to contact legal counsel and all legal matter shall be handled by the law firm Drummond Woodsum Esq. as the law firm Verrill doesn't have the expertise to negotiate a union contract for a public entity; they only handle union negotiations for private entities which follow federal laws that don't apply to KWD and Verrill's \$370/hr rate exceeds Drummond Woodsums.

Moved by: O'Connell **Seconded by:** Gray

Secondary Motion: To Table

Moved by: Perry **Seconded by:** Golter

(Note: The motion to table was not voted on)

Affirmative Votes: O'Connell **Negative Votes:** Golter, Gray, Perry

Motion #20220119-09: I make a motion that Kittery water District will obtain an updated appraisal value of the 15-23 State Rd. property before any change in property ownership as it has not been done for a few years and property values have changed.

Moved by: O'Connell **Seconded by:** Perry

Affirmative Votes: Golter, Gray, O'Connell, Perry **Negative Votes:** None

Motion #20220119-10: I make a motion that the Kittery water district will create a request for proposals (RFP) for the development of our 15-23 State Rd. property to find the highest and best use of the site based on the joint land-use study and at the request of water users.

Moved by: O'Connell **Seconded by:** Gray

Secondary Motion #20220119-10a: Amend – Strike everything after “property.”

Moved by: Gray **Seconded by:** Golter

Affirmative Votes: Golter, Gray, O'Connell, Perry **Negative Votes:** None

Amended Motion: I make a motion that the Kittery Water District will create a request for proposals (RFP) for the development of our 15-23 State Rd. property.

Affirmative Votes: Golter, Gray, O'Connell, Perry **Negative Votes:** None

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Motion #20220119-11: I make a motion that once a development team is chosen the Kittery water district the facility will be built first and Kittery water district will move and then the development team would take ownership of the State Road property

Moved by: O'Connell **Seconded by:** Gray

Secondary Motion #20220119-11a: To Table

Moved by: Gray **Seconded by:** Perry

Affirmative Votes: Golter, Gray, O'Connell, Perry **Negative Votes:** None

Motion #20220119-12: I make a motion that the Kittery Water District work with the town of Kittery to explore the possibility of moving our office operations to Town Hall.

Moved by: O'Connell **Seconded by:** Perry

Affirmative Votes: None **Negative Votes:** Golter, Gray, O'Connell, Perry

Motion #20220119-13: To Adjourn

Moved by: Gray **Seconded by:** Golter

Affirmative Votes: Golter, Gray, O'Connell, Perry **Negative Votes:** None

Respectfully submitted,

Robert A. Gray, Clerk