

KENT COUNTY WATER AUTHORITY

MINUTES OF THE SPECIAL MEETING
OF THE BOARD

March 21, 2018

A meeting of the Board of Directors of the Kent County Water Authority was held on the 21ST day of March, 2018, at 3:30 p.m. at the offices of the Authority in West Warwick, RI, in the Joseph D. Richard Board Room.

Chairman Robert Boyer opened the meeting at 3:30 p.m. Board members, Vice-Chairman Peter Masterson, Treasurer Joseph Gallucci, Secretary Scott Duckworth, Russell Crossman and Frank Giorgio were all present together, along with the General Manager/Chief Engineer Timothy J. Brown, Legal Counsel Patrick J. Sullivan, Esq., Director of Technical Services John Duchesneau and Director of Finance and Administration Michael Lanfredi. Also, in attendance was Treatment Manager/Water Project Engineer Dave Simmons. Mr. Lanfredi led the group in the pledge of allegiance.

Bradford Soap Settlement – Board Action

Sarah Wheeler, Esq., appeared before the board and introduced herself as appearing for Mr. John Revens, Esq. She said she was prepared to offer a counter proposal to resolve the long running dispute regarding the water leak. She said Bradford Soap would offer \$65,000.00 and would hook up four services with the back flow preventers by July 1, 2018. Mr. Masterson asked about the consolidation of the four services into one, and one back flow preventer. Ms. Wheeler said the cost was too much but left the door open to do that at some time in the future.

Mr. Brown said the current amount owed was \$82,306.00 and with late charges, it brought the balance to \$92,038.19. He reminded the board that the counter offer was the same amount with the consolidation of the four services into one. He discussed the fire lines and the remaining two lines.

There was a general discussion about the settlement, its pros and cons, among the board.

Mr. Gallucci moved, seconded by Mr. Crossman, to approve a settlement with the Bradford Soap v. KCWA, RIDPUC case (D-17-37) on the following terms:

1. Bradford Soap to pay \$65,000.00 before April 9, 2018; and
2. Bradford Soap installs 4 back flow preventers on or before July 1, 2018; and

3. That KCWA have access and inspection before and after the installation of the four back flow preventers; and
4. That the January 2018 billing, forward, is not part of the settlement.

Upon motion duly made and seconded, it was unanimously

VOTED: KCWA authorized settlement with the Bradford Soap v. KCWA, RIDPUC (case D-17-37) on the following terms:

1. Bradford Soap to pay \$65,000.00 before April 9, 2018; and
2. Bradford Soap installs 4 back flow preventers on or before July 1, 2018; and
3. That KCWA have access and inspection before and after the installation of the four back flow preventers; and
4. That the January 2018 billing, forward, is not part of the settlement.

31 Deer Run Drive Review and Approval of Service Connection

EXECUTIVE SESSION – Pursuant to RIGL 42-26-5(a)(2), Anticipated Litigation

The Chairman asked for a motion to move into executive session.

Mr. Duckworth moved, seconded by Mr. Crossman that the board move into executive session for discussion anticipated litigation pursuant to RIGL 42-46-5(a)(2)

Upon Motion duly made and seconded, it was unanimously, by roll call vote,

VOTED: That the board moved into executive session for discussion of anticipated litigation to RIGL 42-46-5(a)(1).

The board moved into executive session at 3:50 p.m.

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The board emerges from executive session at 4:30 p.m.

Mr. Duckworth moved and seconded by Mr. Giorgio that the board exit from executive session

Upon Motion duly made and seconded, it was unanimously, by roll call vote,

VOTED: That the board exit from executive session.

Mr. Sullivan announces that a vote was taken in executive session to file a petition for instructions with the Superior Court regarding the Decubellis v. KCWA matter DPUC 20898.

Mr. Duckworth then moved, and seconded by Mr. Giorgio, that the minutes of the meeting shall remain under seal pursuant to RIGL 42-46-4 and 42-46-5.

Upon Motion duly made and seconded, it was unanimously, by roll call vote,

VOTED: That the minutes of the meeting shall remain under seal pursuant to RIGL 42-46-4 and 42-46-5

There being no further business before the board, Mr. Duckworth moved, seconded by Mr. Giorgio, to adjourn the meeting. The vote was unanimous in the affirmative.

Dated: April ____, 2018

Patrick J. Sullivan
Legal Counsel