

KENT COUNTY WATER AUTHORITY

MINUTES OF THE SPECIAL MEETING  
OF THE BOARD

August 4, 2020

A special meeting of the Board of Directors of the Kent County Water Authority was held on the 4<sup>th</sup> day of August 2020, at 3:00 p.m. at the offices of the Authority in West Warwick, RI, in the Joseph D. Richard Board Room and via Zoom with the board members.

Chairman Robert Boyer opened the meeting at 3:00 p.m. Board members, Vice Chairman Joseph Gallucci, Treasurer Russell Crossman, Brian Kortz, Jeff Giusti and Geoffrey Rousselle were all present together, along with Executive Director/Chief Engineer David L. Simmons, rate counsel Mary Shekarchi and legal counsel Patrick J. Sullivan. Chairman Boyer led the group in the pledge of allegiance.

**Executive Session – Pursuant to RIGL 42-46-5(5) related to the acquisition of real property. Discussion on consideration of real estate services.**

Chairman Boyer read the agenda item. He then asked Mr. Simmons to go over the topic. The board opted to remain in open session for the discussion.

Mr. Simmons said the reason for the meeting was to memorialize the relationship with Carl Coutu for his real estate advisory services. He said they worked with him informally and he did a great job.

Ms. Shekarchi said she had reviewed the standard Exclusive Buyer Representation contract and made some edits. She outlined the edits to exclude a geographic area and to limit it to the Technology Way site and Kent County only for a period of one year. She explained the commission is usually paid by the seller and it pays both seller and buyer's agent, but if there is a default by KCWA, she changed it to a flat fee of \$5,000. Finally, she added that at no time would KCWA be responsible for compensating any brokerage firm.

Chairman Boyer asked when the negotiations would commence. Ms. Shekarchi said she expects the contract to be signed this week. She added that Matt Fair from Hayes and Sherry would have a role in representing the seller. He was not engaged by KCWA, but rather a third party.

Mr. Gallucci moved, seconded by Mr. Rousselle, to authorize the Chairman to sign the contract as amended.

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

VOTED: KCWA authorized the Chairman to sign the engagement agreement with Carl Coutu as amended.

There being no further business before this meeting, on motion duly made by Mr. Crossman, seconded by Mr. Giusti and carried, the meeting was adjourned at 4:30 p.m.

Date: August \_\_\_\_, 2020

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Patrick J. Sullivan, Esq.  
Legal Counsel