



BOARD OF WATER COMMISSIONERS

Cotuit Fire District

Water Department

**4300 FALMOUTH ROAD, P. O. BOX 451
COTUIT, MASS. 02635**

01/16/2017

The special meeting of the Board of Water Commissioners was held at the Cotuit Water Department at 6:00 p.m. Chairman Ted Barnicle, Commissioner Don Campbell and Commissioner Vic Mastro were present as was Superintendent, Chris Wiseman and Jen Leger.

The meeting was called to order at 6:00 p.m. and was opened to public comment. District residents Cindy Gardner and Amy Kates were present. Mrs. Gardner raised a concern that the purpose of the meeting may not meet the criteria for executive session. Chairman Barnicle addressed Mrs. Gardner's concerns, and explained that the purpose of the meeting was to review the legal recommendations regarding the cellular lease and discuss potential contract implications, and that doing this in an open meeting may have a detrimental effect on the bargaining position of the public body, specifically with US Wireless Networks. Mrs. Gardner asked that the minutes of the meeting be made public as soon as possible.

Chairman Barnicle asked for a motion to move into executive session and not return to open session. The motion was made and unanimously approved.

The commissioners reviewed the information provided by Attorney Rick Mann (working on behalf of the district) including the language of the existing lease with regard to the rent provisions, the proposed amendment by US Wireless Networks which addresses a rent reduction with the possible termination of sub-leases and changes to the work guarantees, the concerns of the cell carriers with regard to moving the equipment to a temporary structure and the potential for loss of coverage and the preliminary structural status of the Main Street water tank.

The objective of the discussion was to understand the legal implications of the proposed amendment on the current lease and rent provisions, and to review the district's options before meeting with US Wireless Networks at the regularly scheduled Board of Water Commissioners meeting on Wednesday, January 18th. This objective was met through reading the documentation and discussing each item. Chris and Jen were available to answer any questions that arose from the discussion. There were no votes taken, or any action items created as a result of this meeting.

The meeting adjourned at 7:10 p.m.

Respectfully submitted,

Theodore Barnicle, Chairman

Cc: Prudential Committee