

**Minutes
Of
The Foxboro Water and Sewer Commissioners
December 28, 2009**

Members in Attendance: Chairman P. Henderson, Vice Chairman R. Olsen.

Other Attendees\Participants: Randy Scollins (Town Finance Director), Lynda Walsh (Board of Selectmen), Robert Bell (AECOM) and Paul DeRensis (Town Counsel).

Resident\Concerned Citizen Attendee List Attached.

The meeting was called to order at 4:00 PM by P. Henderson.

P. Henderson gave an overview of the Ad Hoc Negotiation Group that consists of nine (9) members. Members are as follows; Phillip Henderson (Board of Water and Sewer Commission), Rene Olsen (Board of Water and Sewer Commission), Michael Stanton (Board of Water and Sewer Commission), Lynda Walsh (Board of Selectmen), Larry Harrington (Board of Selectmen), Leo Potter (Water and Sewer Superintendent), Randy Scollins (Town Finance Director), Robert Bell (AECOM) and Pau DeRensis (Town Counsel). This group has met on numerous occasions to discuss the overall sewer program for the Town of Foxborough and to discuss in general terms a strategy for articles to be presented at the upcoming Town Meeting.

R. Bell (AECOM) provided a copy of the Sewer District document that was voted "No Action-Article 15" at the spring 2009 Annual Town Meeting (ATM) to each member present. Copies were also provided to others in attendance. P. DeRensis (Town Counsel) then proceeded to give an overview of the "Home Rule" petition that by definition takes power from the legislature and redistributes locally with "a little more power going to the Foxborough Board of Water and Sewer Commission (BWSC) and a lot more power going to Foxborough Town Meeting". P. DeRensis went on to say that this proposed article is only the first step that sets up the process for the creation\acceptance of a delineated Sewer District on a map.

Section 1: Deals with the identification of the BWSC as the authority relating to water and sewer issues in the Town of Foxboro. It also authorizes ATM the authority to approve the Sewer District boundaries and does not allow sewers on public ways, if they are outside of the established boundary.

Section 2: Allows the BWSC to require that sewer connections be "mandatory and compulsory" to sewer program that has been established under the authority\approval of ATM. P. DeRensis explained that this protects the town from being unable to recoup costs related to a sewer program that has been authorized by ATM and has been bonded. R. Scollins reiterated the importance of protecting the town financially on a sewer program that has won town meeting approval and money has been appropriated. There is an opportunity to modify that language, but I may remove some financial protection for the town, as obligations not met by the enterprise accounts pass over to be obligation of the town's general fund. Also, there is currently a "Conceptual Sewer System Rate Structure" document that proposed deferrals for impacted residents.

Section 3: Outlines the different processes for amending the original Sewer District as time goes on.

Section 4: This section was added by the Governor's office to address the expansion of the sewer system for special uses (i.e.: 40B, 40R, etc...), if capacity exists. If the sewer system is extended to a remote "special use" project, the connecting sewer line does not extend the sewer district to adjacent users. There was general discussion on the definition of available capacity (allocated or un-allocated) and the impacts on purchased flow.

Section 5 and Section 6: Relates to existing laws and the implementation of this act.

P. DeRensis they provided an overview of the "Conceptual Sewer System Rate Structure" document and how most of the concepts are already allowed under existing legislation. He stated that the terminology may need to be modified to fall in compliance with those existing laws/regulations. As M. Stanton was in charge of that BWSC Sub-Committee, further discussion was deferred until he was present.

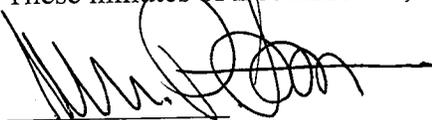
It was requested of the audience, if there were any questions. Hector Ballon asked about how the "betterment" assessment, which is a lien, effects home equity loan limits. It was explained that the "betterment" loan was thru the town, so there is no loan approval process.

The meeting was adjourned at 6:00 p.m.

Respectfully Submitted,

Phillip Henderson

These minutes of December 28, 2009 were approved as amended on ~~January 19,~~ ^{February 1,} 2010.



Michael Stanton, Clerk