

**Minutes
Of
The Foxboro Water and Sewer Commissioners
January 8, 2010**

Members in Attendance: Chairman P. Henderson, Vice Chairman R. Olsen, Clerk M. Stanton, Board of Selectmen Members: Paul Feeney, Linda Walsh, Paul Mortenson, Lorraine Brue, Representative Jay Barrows, Finance Director Randy Scollins, Planning Board Chair Kevin Weinfeld

This is a joint meeting of the Foxboro Board of Water and Sewer Commissioners and the Foxboro Board of Selectmen. Chairman P. Henderson opened the meeting with a Moment of Silence and the Pledge of Allegiance. He then had everyone at the table introduce themselves.

Paul Feeney, Chairman of the Board of Selectmen, stated that his Board would like to see a unified approach for the sewer proposal at Town Meeting. The BOS have appointed sewer liaisons under the direction of their Board for this purpose. Mr. Feeney requested that the Water and Sewer Commissioners hold off on their meeting with the Kraft Group until a meeting with the BOS could occur. There is a meeting scheduled on Monday, which is why this special meeting was called.

P. Henderson explained the Board's sewer strategy that began in the summer of 2008. The Board has decided to take a measured approach due to previous town meeting opinions. There has been a moratorium with Mansfield that no additional flow can be sent since 1999. A full comprehensive program didn't work. The intermunicipal agreement with Mansfield will expire in September 2010. There are commercial entities in the downtown and some residential areas that need options for sewers. There will be no proposal for sewers for the needs areas at this point.

The Board would like the option of at least purchasing capacity to become a partner with Mansfield and Norton in a regular program; they would like to augment the existing agreement by purchasing flow. There is a Memorandum of Understanding with the Kraft Group from 2007, it states that they will build, at their expense a 325,000 GPD wastewater facility as well as up to 300,000 GPD leaching field on their property at their cost; it also deals with signage on Water Department land. The signage agreement gives 50% of the revenue to the Water Department with the costs and maintenance split among both parties. This agreement has evolved since 1999. The revenue stream goes to the water enterprise account. This agreement came out of discussions and negotiations with the Kraft Group and is good until 2012, although it can be extended. This agreement was separate from any other mitigation offered to the town. The Water and Sewer Commissioners would like to initiate negotiations for the value of the assets in the MOU from 2007 and use this towards purchasing flow in the regional expansion. An Ad Hoc Group was formed for this purpose.

The Board knows there are businesses and residents looking for flow, the Bradlees plaza owners would like to get 25,000 GPD of flow, the Caritas Facility and the Comfort Inn have both inquired about getting more flow recently, there is a pent up demand in town for more flow. The Board has appointed a Subcommittee to look into the financials of hooking up to a new system; they are trying to make it an easier process for the residents.

M. Stanton, a member of the Subcommittee, stated that there are three basic questions they are addressing, 1. Is there a belief that the sewer needs to be expanded, 2. The cost, and 3. How will this be paid. The Subcommittee believes that there are economic benefits and it is not to promote development but to add to existing needs. The rest of the Subcommittee is comprised of Jon Brucks and Bob Bell, they are volunteering their time to come up with a plan that's workable for the town, they have put in over 1,000 hours so far working on this. Some of the ideas are reserve funds and not requiring residents to purchase

all of the flow at once; they are trying to be fair and equitable to all concerns. They are working on a waiver plan, you could defer hooking up but there will need to be a time limit.

R. Olsen stated that the CWMP process took five years; this was a study to see what properties in town could not be serviced by septic. That committee initially identified over 70 needs areas; they met with the Board of Health and got it down to 13 critical needs areas.

Lorraine Brue of the Board of Selectmen stated that they are looking for an affordable approach to the expansion of the sewers, she would like the subcommittees numbers for the purchasing of flow and the cost of the infrastructure for review by both boards. She would like a cost study with both boards coming up with a strategy. She knows there are problems downtown and other areas of town, but she would like the boards to work together more and see where it goes. She would like an affordable approach that will be acceptable to all.

P. Henderson stated that the Board of Selectmen was asked about the last two options, they did not support debt exclusion. The Water and Sewer commissioners are using the existing agreement for leverage and they are also working with Representative Barrows and two other towns on this, the costs are out there already.

If the purchase of additional flow can happen, then they can renegotiate the IMA to get access to an extra 200,000 gallons of flow with Mansfield now governed as Title 5 flow. The Subcommittee already has the information, it's in Step 4; they would like to stay on Step 1 right now. There will be public forums, mailings, maps, etc made available to the town.

Representative Barrows stated that they need to get the sewer flow now to create the sewer districts, Norton and Mansfield are also trying to do the same in their towns.

There are currently 500 sewer users in town.

M. Stanton stated that he estimates the sewer cost would be approximately \$10,000 for empty nesters and up to \$40,000 for a high end business user. He stated that there is an unrealized asset on Route 1.

R. Olsen stated that if there is anyone who has any ideas to cut costs, please let the Board know, they would like suggestions not questions as this has already been to town meeting three times.

It was suggested that the first step be the financial information for the affordable options.

Paul Mortenson would like to hear from the Finance Director, Randy Scollins; he has been to the Ad Hoc Group meetings and is a member of the Group.

Linda Walsh stated that she asked to be involved, she had been to the meetings and brought back the information to the Board of Selectmen, she feels that the sub Group has been working hard on the financial situation; she wants the situation to stop being Board against Board and agree to disagree. She also feels that the articles in the newspaper were overboard. The Water and Sewer Commissioners are concerned with the end user. She would like everyone to work together for a common goal.

Randy Scollins stated that he has been involved in meetings and discussions with the whole group as well as individual members of the Board of Selectmen, Jon Brucks and members of the Water and Sewer Commissioners. Not everyone is agreeing on a strategy, he feels there should be unanimity among all the boards and committees. He also feels that timing, funding, etc. need to be addressed.

R. Olsen stated that these were the items the Ad Hoc Group was going to discuss; would everyone rather that the two full Boards and the Finance Director meet instead? Mr. Scollins stated that he was only invited to two meetings and neither one discussed financials. He feels that a measured approach to purchasing capital is the right direction. He also feels that the Board should look into programs, grants, loans, etc, before it is all put on the ratepayers. Detailed discussions are needed before town meeting.

Representative Jay Barrows stated that the Town won't get any programs or loans until the three towns agree on something and the sewer districts are established.

P. Henderson would like to get a value from the Patriots and then figure out the numbers. They shouldn't hold up the process of meeting with the Patriots, he feels this can be a parallel process.

R. Olsen feels that the Ad Hoc Group meeting scheduled is just to break the ice with the Patriots. There will be no negotiations at this initial meeting. Mr. Henderson would like the Patriot's opinion on conducting Open Meetings; they might have reservations about holding negotiations in open session.

Paul Feeney feels that they are not obliged to the Patriots, they are obliged to the ratepayers and hopes the Board will rethink their obligations under the law.

Kevin Weinfeld of the Planning Board told the Board that negotiating hard, tough decisions in public sessions can't be done.

Mr. Andre Navedo of 94 Spruce Street questioned if the negotiations are a delegated function of the Water and Sewer Board.

Mr. Scollins would like a definitive timeline. He will meet with M. Stanton to get the numbers he needs. The Board will be meeting with the Board of Selectmen on the 12th.

Mr. Hector Bellon of 153 North Street feels that the Board is not selling the job, there is a lot of misinformation and distrust. He would like to know what is in it for him and local business owners. All the Boards should be working on building a consensus to improve the town.

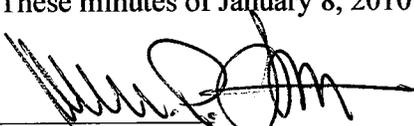
The Board will continue to work on a package for town meeting as well as continue to work with the other two towns.

The meeting was adjourned at 7:55 p.m.

Respectfully Submitted,

Diana Gray

These minutes of January 8, 2010 were approved as amended on March 9, 2010.


Michael Stanton, Clerk