

**Minutes
Of
The Foxboro Water and Sewer Commissioners
February 1, 2010**

Members in Attendance: Chairman P. Henderson, Clerk M. Stanton, Superintendent L. Potter, Bob Bell, Selectman Linda Walsh, Selectman Larry Harrington, Town Counsel Paul DeRensis

A meeting of the Ad Hoc Group was called to order at 4:15 p.m. in the Selectmen's Meeting Room.

This meeting is to discuss the buy in for the sewer district and the home rule petition.

A question was asked that when sewer is available on a street, how many homes need to agree to hook up. This will be a policy of the Water and Sewer Commissioners on how many would need to agree.

A questionnaire was sent out in 2007 to 1500 potential sewer users, at that time, there were 140 yes, 164 yes when their system fails, 92 no, 22 undecided, 19 thought it would be too costly, 3 didn't feel they needed it and 3 had just replaced their systems. Comments have been made that the Water and Sewer Board is forcing everyone to get sewers. There are a lot of "ifs" before a neighborhood would even get to that point. It would be mainly for people that need or want it or as a Board of Health requirement. The CWMP five-year study found there were seventy areas of town that needed sewers; it was eventually reduced to thirteen needs areas. It was noted that interceptors need to be treated separately.

The Home Rule Petition was then discussed. This will allow the town to set up a sewer district. There is a rumor that if this goes through, then the Water and Sewer Commission can force everyone to get sewers. All this petition does is authorize the Commission to go to a future Town Meeting to see if there is support or not. There have been letters to the editor citing the "mandatory and compulsory" language, Atty. DeRensis stated that this petition doesn't make anything mandatory and compulsory by itself, it just gives the Water and Sewer Commission the authority to go to Town Meeting at a later date with a district proposal.

Mr. Harrington offered to write something up with the help of Town Counsel on the sewer districts, an informational packet and a press release. Helping townspeople to understand will make the process easier. They will also work on a press release in regards to the purchase of flow.

The Home Rule Petition is separate from the 325,000 purchase article.

P. Henderson, L. Potter, Randy Scollins, Bob Bell, Dan Murphy, Dan Kranz and Jim Covery met to revisit the 2007 Patriots agreement; no specifics were discussed at this initial meeting. Mr. Covery, a VP of the Kraft Group, requested a pro forma with what the Group is looking for with a timeline and cost estimates for each program. Mr. Bell is working on this using the program from Spring 2008 as a template with estimated flow costs at \$29 per gallon.

The Patriot's are interested in negotiating.

The discussion then turned to the Open Meeting process. The Patriot's are concerned segmenting public and private information and are not comfortable going in and out of executive session. There is sensitivity in having everything in open meeting. P. Henderson suggested having the town Boards meet in executive session to discuss numbers before it is discussed in open session with the Patriot's. Town Counsel is agreeable with this approach.

Mr. Harrington feels it would be helpful if the future value of sign revenue could be estimated, and then there could be a discussion of plan value, the numbers could be agreed upon ahead of time.

M. Stanton will work with Randy Scollins and Lorraine Brue on the value of the signage to get to a range.

It was noted that the town cannot operate a billboard on its own. A bid would need to be put out to lease the facility so it could be taken care of.

It was agreed that the Ad Hoc Group would meet in executive session to work out the values of the purchase of land and timelines. They will vet through the values then the Board of Water and Sewer representatives can meet with the Patriots.

P. Henderson will work with Bob Bell on the pro forma, what areas to include. Mr. Scollins help would also be required if interest is calculated separately.

Representative Barrows has previously stated that he cannot get any grants without any agreements in place, the Legislature is looking for shovel ready projects, some engineering should be done to have a ready project to get to the top of the list, the group discussed getting this from the Patriots.

P. Henderson will call Paul Feeney to set up more meetings with the Board of Selectmen.

It was asked if the Board of Health should be included. Town Counsel noted that nothing is taken away from them in this petition, so they have no interest in this.

The discussion then turned to the Town Meeting warrant articles and the 325,000 appropriation of flow. The regulating authority won't be approved for months; the Board should wait until the authority is established to get any dollar items.

It was questioned if the Patriots end up not giving any money would this need to go to Town Meeting? Town Counsel advised that if no tax payer dollars are needed, then it doesn't need to go to town meeting. They already have a town meeting vote to pursue the establishment of a regional authority. He also advised that they may want the flexibility of having an article written in case the Patriots scenario doesn't work out.

The Ad Hoc Group meeting was then adjourned, the Board of Water and Sewer Commissioners meeting was then convened.

The minutes of November 24, 2009, December 15, 2009 and December 28, 2009 were approved 2-0.

The minutes of January 20th, January 5th and January 8th were reviewed. Final approval will be held until it is known if R. Olsen has any additional comments.

A motion to approve payment of \$752 to AECOM for work on the Wastewater system evaluation was approved 2-0.

The homeowner at 114 South High Street, the next to last home left to connect in the neighborhood, would like to connect to sewer. They have been paying a betterment fee. The current flow is 63 GPD; it is a four bedroom house. Originally Sears Estates was contracted for 24,000 GPD, but they are currently only using 19,000 GPD so this residence would qualify and there is only one more house left to connect. L. Potter left it up to the will of the Board if this home should be allowed to connect. The Board approved this connection 2-0.

L. Potter informed the Board that the pipe replacement on Payson Road may need a warrant article for funding, he will check with the Town Manager. There is \$100,000 in retained earnings, \$250,000 from rates and additional money in the pipe replacement program. The Board commented that they should be putting money in a program, not looking to borrow.

Meeting dates were set for Feb 9th and Feb 16th.

A warrant article is also needed for the proposed water treatment facility on Oak Street.

The meeting was adjourned at 6:20 p.m.

Respectfully Submitted,

Diana Gray

These minutes of February 1, 2010 were approved as amended on March 23, 2010.



Michael Stanton, Clerk