Carl L Jay S. Butch B

SEWER COMMISSION
EXECUTIVE SESSION
1/31/12

The Sewer Commission met at the Town Hall Building and opened Executive Session at 7:55 pm in accordance with M.G.L. Chapter 39, §23B (2) to conduct strategy session in preparation for litigation if an open meeting may have a detrimental effect on the government's bargaining or litigation position with a roll call vote: Butch Bilotta, aye, Jay Simeone, aye and Carl Luck, aye. Carl Luck, chairing the meeting in the absence of Bob Ebersole, announced that they would not be returning to Regular Session. Steve Pederson of Weston & Sampson was also present.

Carl stated that the reason for Executive Session was to discuss the status of the **Fitchburg IMA.** There have been no additional meetings since the Commission met on the 11th of January, but the IMA had gone to Weston & Sampson for review, and we were here to get Steve Pederson's update from that review. Carl noted that he still has to review the Comprehensive Wastewater Management Plan (CWMP) and update the numbers in the draft for the John Fitch Highway improvement project. Also noted was the recent article in the newspaper regarding the Fitchburg sewer issues, which Carl said is consistent with what their director, Joe Jordan, has been telling Carl & Bob Ebersole in recent discussions. Carl invited Steve to go through his suggestions which Steve did section by section. Steve will provide Carl a copy of his marked up revisions for Carl to incorporate into a new draft document. Parties present discussed whether the Commission would present Joe Jordan with an IMA with all changes shown, or a clean document. Carl plans to provide just the clean document. Also discussed was the methodology the Commission wishes to use to determine their portion of the cost for the John Fitch Highway and that we only want to pay for the value of the increased capacity for Lunenburg, not funding Fitchburg's increase as well. Steve also noted that the Capital expenditure will be reflected in Fitchburg's rate to all its users and that we do not want to pay more than our share of that capital expense. At the conclusion of Steve's suggestions, Carl thanked him for his help and that he greatly appreciated Steve's suggestions and input. Carl stated that once he makes the updates to the IMA, he will send it out to the Commission and he would like to have a workshop with the Board of Selectmen's representatives, Paula Bertram and Tom Alonzo, before sending it to Fitchburg. He hopes to have the updated document to the Commission within the next week, and asked Barb to give Paula & Tom notice that he'd like to have a workshop with them within a few weeks, and that he'd get them a copy of the proposed IMA a week before, giving them time for review.

Carl asked if there was a motion to adjourn? Butch-aye, Jay-aye, Carl- aye. At 8:35 pm the Executive Session was adjourned.

Respectfully submitted,

Barb Lefebvre, Sewer Business Manager