

Minutes of 12/11/18 Sewer Commission meeting –DPW Conference Room –520 Chase Road

Attendees: Chair, Joe Anderson, Vice-Chair, Carl Luck -via remote participation, Clerk, John Reynolds, Members: Ryan Stober, Joan Pease; Business Manager, Barb Lefebvre, Minutes Clerk, Jane Ranley

Executive Session opened at 8:01pm.

Highfield Village- Sewer Allocation Agreement Update – Barb had followed up with KP Law re: Highfield to see where we were with the most recent change. Carl had sent an email about considering the interest costs to the Commission and Barb wanted the Commission to review it before sending to KP Law. Interest costs were not mentioned in the original Allocation calculation, just the John Fitch construction cost. Carl added that originally the full payment was to be made upfront, but now they are renegotiating to pay over 20 years, so it is valid to ask for interest. As for the status, we had sent the revised agreement to KP Law after discovering an error in the original calculation but we only know that it is not yet signed, not whether opposing counsel had already presented the document to the proponent. Joan reviewed adding a clause that if they pay the money upfront, there would be some forgiven. Carl agreed and per the terms, reminded the group that the Proponents had agreed to pay the amount in full if they go to sell the property so interest may not be a big deal to them. Barb clarified that the interest Fitchburg was charging was 2%. Carl also wanted the Commission to discuss changing counsel from KP Law to town counsel as it may be a good time since we are changing the agreement. All present agreed that it has been drawn out longer than originally expected and it was a good time to change.

Motion: Joan P.

Second: John R.

To change counsel from KP Law to town counsel. Vote: Joe-aye, Joan-aye, John-aye, Ryan-aye, Carl-aye

Motion: Joan P.

Second: John R.

To specify interest as stated in Carl's email of Dec 2nd. Vote: Joe-aye, Joan-aye, John-aye, Ryan-aye, Carl-aye.

Motion: Joan P.

Second: John R.

To ask town counsel to recommend a reduction in interest for paying it off early.

Vote: Joe-aye, Joan-aye, John-aye, Ryan-aye, Carl-aye.

Motion: John R.

Second: Ryan S.

To adjourn executive session at 8:12pm.

Vote: Joe-aye, Joan-aye, John-aye, Ryan-aye, Carl-aye.

Respectively submitted,


Jane Ranley
Sewer Commission Board Clerk

Handouts:

Barb's email "Stop the presses" from November 30th

Carl's email from November 30th

Carl's email from December 2nd