

SEWER IMA REVIEW COMMITTEE**December 10, 2013****1:30PM****EXECUTIVE SESSION**

Members Present: Mark Jamieson
John Stone
Andy Burbine

Also Present: Chris Petrini, Special Counsel, Abington
Jeanne White, Executive Assistant

The members open the meeting at 1:30pm. Special Counsel Chris Petrini recommends that the Committee move to go into Executive Session pursuant to Chapter 30A, sections 21a(3) and (7) and Suffolk Construction v. DCAM to meet with counsel to discuss pending litigation with the City of Brockton and potential settlement proposals to resolve the same.

Andy Burbine moved that the Committee go into Executive Session pursuant to Chapter 30A, sections 21a(3) and (7) to meet with counsel to discuss pending litigation with the City of Brockton and potential settlement proposals to resolve the same. John Stone seconds. Roll call vote: Mark Jamieson aye, John Stone aye, Andy Burbine aye. Unanimous 3-0.

Chris Petrini explains that he had a conference call with Ms. Leach and Mr. Nessralla on December 5th. They informed Chris that Brockton is open to further negotiations since Abington has backed off on its direct connect proposal. Chris said that the decision maker on the Brockton side is Jay Condon. He asks how Abington would feel about having a combined rate for transport and treatment. John Stone states that he thinks it is cleaner to keep it separate. The more we combine the more it gets mixed up and hazy. We would like to keep it clean and separate.

Chris Petrini explains that Mark Thompson stated that the latest proposal that will be discussed with Brockton is a pro-Abington agreement. The IMA members look at the draft agreement Chris Petrini sent to Brockton. He explains that obtaining credits for prior years will be hard to get. Mark Jamieson states that when Brockton includes amounts that should not be on the bill if Abington questions them they exclude them.

John Stone states we are presently averaging 750,000 GPD. He explains that our system is tight and we still have sewer backups twice a year on average. We need to put in the proposal that if this happens we will have the engineers look at any backup problems.

Chris Petrini tells the Board that we obtained a further extension of the tracking order deadlines to allow negotiations to continue without the need to spend money in court.

Chris states that Caitlin Leach obtained a copy of the Framingham-Ashland IMA by way of a public records request to Framingham. Chris asked Mark Thompson to compare it to the Abington/Brockton IMA and even using the rates in that agreement we are still being overcharged.

SECOND EXECUTIVE SESSION

2:45, December 10, 2013

Special Counsel Chris Petrini recommends that the Committee move to go into Executive Session pursuant to Chapter 30A, sections 21a(3) and (7) and Suffolk Construction v. DCAM to meet with counsel to discuss pending litigation with the City of Brockton and potential settlement proposals to resolve the same.

Mark Jamieson moved that the committee go into Executive Session pursuant to Chapter 30A, sections 21a(3) and (7) to meet with counsel to discuss pending litigation with the City of Brockton and potential settlement proposals to resolve the same. John Stone seconds. Roll call vote: Mark Jamieson aye, John Stone aye, Andy Burbine aye. Unanimous 3-0.

The IMA members discuss the meeting and decide to schedule a meeting on January 2, 2014 at 2:00 at the Sewer Department.

John Stone makes a motion to go out of executive session Andy Burbine seconds. Roll call vote. Unanimous 3-0.