

**Town of Montville Water Pollution Control Authority
Special Meeting Minutes of Thursday, June 3, 2010
Council Chambers – Town Hall – 8:15 a.m.**

1. **Call to Order**

Chairman May called the Special Meeting to order at 8:15 a.m.

2. **Pledge of Allegiance**

3. **Roll Call**

Present were Commissioners Hillman, May, Siragusa and Thorn. Absent was Commissioner Schober. Also present were Mayor Jaskiewicz, Attorney Matthew Auger, Attorney Ronald Ochsner, Mayor Jaskiewicz, Administrator Brian Lynch and Superintendent Michael Didato.

4. **Remarks from the Public**

Chairman May asked three times if there was anyone from the public who would like to address the Commission.

5. **To Consider and Act on the Approval of a Memorandum of Understanding between the Town of Montville Water Pollution Control Authority and Rand Whitney Containerboard.**

Chairman May updated the Commission with background information to date regarding the issue with the MOA between Rand Whitney Containerboard and the Town of Montville. He explained that during the past weeks Rand Whitney has contacted the WPCA to try to iron out an agreement and possibly sustain the arbitration they are currently in regarding the rate increase proposed a year and a half ago. Rand Whitney has proposed a MOU and it is much different than the WPCA thought it would be after discussions with them. Rand Whitney proposed that a five million dollar grant in question was for the Montville WPCA to do with as they please and since that time they have decided they are going to take the money and do modification to the pre-treatment and if there is any money left over the town gets that money. Attorney Auger stated the five million dollars first came in to play in the context of an earlier MOU relative to the Federal Water litigation and there was a meeting in Hartford to meet with the former OPM director to see whether or not the town could secure funding for the town in the context of also negotiating a settlement with Rand Whitney in the following respect, the numbers were several million as a potential resolution of the Federal litigation and to the extent that the State provided the town with grant money and to the extent that the towns receipt of that grant money would be utilized by the WPCA in part to increase at that time the BOD capacity which might be to Rand Whitney's benefit.

Chairman May stated the town is getting different stories and proposals from Rand Whitney that need to be clarified.

Mayor Jaskiewicz stated there is an e-mail from Andrea Stillman's office that clearly states that the money goes to the town and has nothing to do with Rand Whitney and nothing to do with the settlement with Rand Whitney.

Attorney Ochsner stated the Commission should go into Executive Session to continue talks regarding this issue. Councilor Hillman inquired if the WPCA is allowed to add an item to a special meeting agenda. Attorney Ochsner stated the WPCA is not adding an additional matter to the agenda, they are going into Executive Session to discuss matters that are on the agenda and can do so as long as there is a two thirds vote in favor of doing so.

Motion made by Commissioner May to enter into Executive Session to discuss agreements with the Town of Montville and Rand Whitney Containerboard. Motion was seconded by Commissioner Thorn. Executive session to include Commissioners Hillman, Siragusa, May, and Thorn, Administrator Lynch, Attorney Auger, Superintendent Didato, Attorney Ochsner, Mayor Jaskiewicz. Roll call vote: 4-0, voting in favor of entering into Executive Session were Commissioners Hillman, Siragusa, May and Thorn, voting in opposition, none. Motion carried and Executive Session began at 8:25 a.m.

Chairman May resumed the meeting at 9:34 a.m. and indicated no votes were taken during Executive Session.

Attorney Ochsner reviewed the wording for a motion with the Commission as follows; Mr. Brian Lynch, Administrator of the WPCA, the WPCA Council members, Attorney Auger, Attorney Ochsner and Attorney Heath pursue the completion of a Memorandum of Understanding with Rand Whitney Corporation with respect to continuation of the arbitration proceedings with a view toward possible settlement and to establish a rate study from an independent entity. Motion made by Commissioner Siragusa, seconded by Commissioner Thorn. Discussion: none. Roll call vote: 4-0, voting in favor of this motion were Commissioners Hillman, Siragusa, May and Thorn. Voting in opposition: none. Motion carried.

Motion made by Commissioner Hillman, seconded by Commissioner Thorn to adjourn the Special Meeting at 9:35 a.m. Discussion: Administrator Lynch thanked everyone for attending the meeting. Voice vote: 4-0, all in favor, motion carried.

Respectfully Submitted by:

Audrey Ulmer, Recording Secretary for the Town of Montville