

Minutes of February 20, 2008

Meeting of the Ashburnham Municipal Light Plant

Present Commissioners: George Ainsleigh, Richard Ahlin and Kevin Lashua arrived late

Stan Herriott, Manager

The Meeting was called to order at 4:40 p.m.

Chairman Ainsleigh opened the meeting by greeting our guests from the Historical Commission, Christina Sargent and Dorothy Munroe and the DPW superintendent Don Ouellette.

Ms. Sargent and Ms. Munroe came to talk about the type of lighting the Historical Commission would like to see in the center of town. The discussion centered on installing decorative poles with a fluted base and an acorn type fixture on top. Their preference for color was black. Manager Herriott also mentioned that the selectmen had asked that we use dark sky approved fixtures, which everyone agreed would be a good idea. Manager Herriott also mentioned that it would take about 20 poles and fixtures depending on the type of light we decided on. Manager Herriott expected that the pole and light combination would be in the area of \$3,000.00 each. He went on to say that he would go out to bid for the components and then we could decide on the exact fixture. Everyone felt that this would be a good approach. Ms. Sargent and Ms. Munroe thanked the Commissioners for being asked to be involved in picking the lights and left the meeting.

Don Ouellette had come to request that the Light Department participate in helping to purchase a mowing tractor for the Town. That they had found a used tractor for \$60,000.00 that was in excellent condition and a new one would be in the area of \$140,000.00. He asked if the Commissioners would support the whole cost of the tractor since they had already voted to spend up to half of the cost of a new tractor. There was some discussion but commissioner Ahlin said that since Commissioner Lashua was late

he did not want to take a vote until he arrived. Don said that he had a couple of errands to do and would come back in an hour to carry on the discussion about the purchases.

Chairman Ainsleigh called for approval of the agenda; the motion was made by Commissioner Ahlin and seconded by Commissioner Ainsleigh. The vote was unanimous.

Chairman Ainsleigh called for a motion to approve the Minutes of the January 16, 2008 meeting. A motion was made by Commissioner Ahlin and seconded by Commissioner Ainsleigh. The vote was unanimous. Secretary Ahlin signed the Minutes of the January 16, 2008 meeting.

Manager Herriott reviewed the January budget with the Commissioners. He pointed out that those receipts were tracking at about 1% over projections and expenditures were 18% under projections. He went on to say that we had experienced lower than expected power cost and were not paying MASSPOWER any longer. MASSPOWER alone was costing us about \$26,000.00 per month and we were receiving very little or no energy for the project, and we were also having to buy replacement power when MASSPOWER did not run.

Manager Herriott explained the MASSPOWER litigation. The six municipal systems won the appeal regarding breach of contract in the MASSPOWER case. Our attorneys feel that the decision was based on sound fact of law and would be difficult to appeal. There is however as much as \$56,000,000.00 million dollars at stake so it is expected the MASSPOWER attorneys will appeal. Again this will be on going through 2008. Ashburnham's stake in this comes to about \$2,000,000.00 that we would have to borrow if the appeal was successful. Also pending is our appeal of the first decision regarding the breach of the contract on the part of MASSPOWER, this has been argued in front of a three Judge panel of the Superior Court. The court now has up to a year to give their decision. Our attorneys feel that our case was well received and the Judges understood the complexities of the case.

Manager Herriott presented the list of policies for approval which was as follows:

Acceptance of Sick Time Policy 2.0002

Acceptance of UFLS Shedding 3.0001

Acceptance of Sabotage Policy 3.0002

Acceptance of Disturbance Reporting Policy 3.0003

Acceptance of Reliability Reporting 3.0004

Acceptance of Miss Operation Reporting 3.0005

Acceptance of Whistle Blower Policy 2.0013

Commissioner Lashua arrived at the meeting.

The Sick Time Policy was just a revision to reflect how we agreed in 2006 to handle sick time going forward and the Whistle Blower Policy was a requirement of some of the new accounting rules. The remainder of the policies was required as a result of the NPCC audit. The Commissioners approved the policies and they were circulated by the Manager for signatures.

Manager Herriott reported that the NPCC audit was complete he would be reviewing it one more time. He would send it in next week as the deadline is March 5, 2008. He went on to say that it had been a lot of work to get this completed for little value to a small municipal system.

Manager Herriott addressed the memo to the Town Treasurer that explains how the interaction between the Town and the Light Department is to be addressed with regard to paying the expenses of the Light Department. The Memo was written by our MEAM attorney and is rather straight forward. Manager Herriott said that he did not want to create a problem where there was not one. But he did want to insure that the Town understood the limits of their jurisdiction over the Light Department. He recommended that we table the memo for further discussion at the next meeting which the Commissioners agreed to.

Manager Herriott gave the Commissioners a request from Habitat for Humanity, asking that the Light Department waive any house fee connections. The Commissioners fully supported this request and a motion was made by Commissioner Ahlin and seconded by Commissioner Lashua. The Chairman called for a vote, which was unanimous.

DPW Director Ouellette arrived back at the meeting, and the discussions begin once again about the purchase of the mowing tractor. The Commissioners voted to

support the whole cost of the used tractor at \$60,000.00. They directed the Manager to work with the Highway Department to complete whatever steps necessary to get this completed. Commissioner Ahlin stressed that he felt a different type of mower head was necessary to do the job, and Director Ouellette agreed that the DPU would support the purchase of the additional mower head. Commissioner Ahlin also stressed that if for some reason the highway did not live up to their end of the bargain that is to have the tractor out mowing on a regular basis, it would be the last deal the Light Department would be getting involved with.

Manager Herriott submitted his expenses for the month which were approved.

Manager Herriott gave the Commissioners memos from MMWEC going over the many things that have been happening there over the past several months as follows.

Fitch Upgrades Credit

General Manager Resigns

Ever Green Solar agreement

MASSPOWER Judgment

Berkshire Wind Power

Board appoints DeCurzio C.O.O.

Manager Herriott said the plans were moving along for the 100th Anniversary Celebration. We are working with Ashburnham Business Council. The Boy Scouts plan to cook hot dogs for the event and the Lions Club will cook the dinner.

The downtown lighting is moving forward. Manager Herriott will be meeting with the engineer to discuss going out to bid for the lighting in the near future. The fixtures order needs to be placed because delivery is expected to be at least six to eight weeks.

Manager Herriott said that he will be meeting with the UMASS Engineers to discuss the possibilities of sighting a wind test tower in Ashburnham. The UMASS people are excited to work with us because they believe that we have several good sites

here in town that will produce commercial grade winds. He has a meeting scheduled for March 5th.

Manager Herriott said that the drainage plans were completed and that he would be going out to bid soon so we could get this completed as soon as possible in the Spring.

A motion was made by Commissioner Ahlin and seconded by Chairman Ainsleigh to adjourn. The vote was unanimous.

The meeting adjourned at 7:03 p.m.

Respectfully submitted,

Rick Ahlin

Secretary