

PASCOAG UTILITY DISTRICT - BOARD OF UTILITY COMMISSIONERS

MINUTES

The special meeting of the Pascoag Utility District Board of Utility Commissioners was held on Friday, August 19, 2016, at 10:00 a.m. in the District office, 253 Pascoag Main Street, Pascoag, RI.

Members Present: Chairman Albert Palmisciano, Commissioners Ann Polacek, Richard Jenks, and Doug Lees

Members Absent: Commissioner Michael Kogut

Also in Attendance: Michael Kirkwood, General Manager; William Bernstein General, Council

Chairman Palmisciano opened the meeting at 10:00 AM.

1. **Executive Session**

To go into executive session pursuant to 42-46-5 (a) (6), concerning the Invenergy power plant's intention to locate in the Town of Burrillville. The minutes of said meeting shall remain confidential for as long as necessary pursuant to RIGL 42-46-4,5,7, until a majority of the Board shall vote to open said minutes as provided for and subject to the open meetings.

Motion to go into Executive Session was made by Mr. Jenks, seconded by Mr. Lees. The vote in favor was unanimous. Executive Session began at 10:05AM.

Motion to exit Executive Session made by Mr. Jenks, seconded by Mr. Lees. The vote in favor was unanimous. Executive Session ended at 10:11AM.

Motion to seal the minutes with no votes being taken was made by Mr. Jenks and seconded by Mr. Lees. The vote in favor was unanimous.

2. **Action Item:** Contractual relationship with Invenergy

Mr. Palmisciano presented a statement as follows:

Over the past several months we have sought and received much information from various sources including our own experts, other consultants and our ratepayers concerning the re-activation of well 3A to supply the proposed power plant with processed water for industrial purposes. This information has made it abundantly clear to us that there are numerous concerns that have either not been addressed at all to date or have been addressed in such a way as to raise serious doubts that this endeavor can be taken on without serious risk. Our own consultant has indeed raised many red flags, which cautions us going forward.

After review and input from counsel, it is clear that the provision of water to the power plant from well 3A cannot occur without resort to the Superior Court. While we recognize that the existing order allows for pumping of the well for remediation, it does not allow for this arrangement. Pascoag does not intend to seek modification of that order to allow for this project.

Therefore I will entertain a motion to:

1. Terminate the letter of intent and any other obligations to Invenergy.
2. Not to negotiate further nor agree to sell any water from Well 3a to Invenergy at any time; now or in the future.
3. Not to seek any changes in the existing court orders for this proposal.
4. Authorize the chairman and/or General Manager and our attorneys to take the appropriate actions to effectuate the action taken by the board forthwith.

Mr. Jenks made a motion to approve Mr. Palmisciano's statement. Motion seconded by Mr. Lees. The vote in favor was unanimous.

3. **Adjournment**

Mr. Lees made a motion to adjourn, seconded by Mr. Jenks. The vote in favor was unanimous. The meeting was adjourned at 10:16am.

Richard Jenks, Secretary
Board of Utility Commissioners

Morgan Williams, Recording Secretary