

HOLDEN RULING

# Judge affirms that Worcester owes Holden \$26 million for excessive wastewater charges

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HOLDEN, Mass. – The City of Worcester will have to pay more than \$26.5 million to the Town of Holden after a jury found the city overcharged the town for wastewater transport.

A Worcester Superior Court judge affirmed a \$14.6 million dollar jury verdict in favor of Holden, where the jury found the charges Worcester imposed were unreasonable and the city charged the town for services it did not use. The total amounts to more than \$26.5 million with a 12% per year interest until the last payment is made.

The ruling comes after nine years of legal proceedings, and holden Town Manager Peter Lukes said he doesn't mind waiting if Worcester tries to delay.

“We've had this case delayed for nearly ten years, but it was justice delayed not justice denied obviously in the end,” Lukes said. “So we are all right if they want to continue appealing and delaying the process and perhaps if the goal is to put it on the next city council or to leave the next city manager holding the bag or the next round of taxpayers that comes into the City of Worcester.

“The fact is that interest is going to accrue at 12%, so that's nearly \$3.5 million dollars a year, so timeliness is not really our concern so much. The Town of Holden isn't going anywhere, I'm not going anywhere and we're going to keep pursuing this until we get the restitution that we deserve.

In a statement to Spectrum News 1, the City of Worcester said they are appealing the ruling the Appeals Court and possibly the Supreme Judicial Court, and they are confident it will be reversed.

The city went on to say that, "Holden has never had any contractual or other relationship with Worcester relating to these sewer transport charges. Its only contract has been the with the Commonwealth.

“Worcester has an entirely separate contract with the Commonwealth by which the Commonwealth has guaranteed full payment to Worcester. If it is ever finally determined that Holden is entitled some payment, which we do not expect, we are confident that it will be paid by the Commonwealth, and not by Worcester.”