



HOUSATONIC REST OF RIVER MUNICIPAL COMMITTEE

AGENDA

August 14, 2020, 9:00 a.m.

Join Zoom Meeting

<https://us02web.zoom.us/j/86289861758>

Meeting ID: 862 8986 1758

1. Introductions (9:00 am)
2. Review of minutes of July 10, 2020 Meeting (9:05 am)
3. RoR Committee Finances / Budget / Expenses (9:10 am – 9:15 am)
4. Other Business & Next Meeting(s) (9:15 am – 9:25 am)
5. Executive Session – Legal Strategy (9:25 am – 10:25 am)
6. Adjournment (10:30 am)

City and Town Clerks: Please post this notice pursuant to Open Meeting Law MGL c. 30A, §§ 18-25.

One tap mobile

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HOUSATONIC REST OF RIVER MUNICIPAL COMMITTEE

Meeting Minutes

Rest of River Municipal Committee; August 14, 2020, Held remotely via Zoom Meeting technology

1. Introductions. T. Matuszko opened the meeting at 9:05 am and stated that the meeting was being held remotely as allowed by Gov. Baker's Order of the Relief of the Open Meeting Law due to the coronavirus social distancing directive. The meeting was being recorded. Committee members attending:

Pat Carlino, Lee Select Board and Representative
Channing Gibson, Lenox Representative
Chris Rembold, Great Barrington Representative
Steve Shatz, Stockbridge Representative
Rene Wood, Sheffield Select Board and Representative

Others present:

Melissa Provencher, BRPC
Tom Matuszko, BRPC
Lauren Gaherty, BRPC

2. Review of minutes of July 10, 2020 meeting. *A motion was made to accept minutes of 7-10-20 by C. Gibson and seconded by S. Shatz; minutes approved as written via roll-call vote: S. Shatz, Stockbridge, AYE; C. Gibson, Lenox, AYE; R. Wood, Sheffield, AYE; C. Rembold, Great Barrington, AYE (P. Carlino not yet attending the meeting).*

3. Committee Finances. T. Matuszko informed the Committee that the District Local Technical Assistance funds allocated for ROR are tapped out. ROR Towns will need to pay BRPC costs going forward; a budget for such work was submitted. BRPC agreed to provide regular financial reports to the Committee.

4. Other Business and Next Meeting. EPA announced that there will be 3 public hearings on the revised Permit: 2 on Aug. 26 and 1 on Sept. 15. Public comment deadline on Permit is Sept. 18. Public comments due on GE's Statement of Work is Aug. 28; focus on getting these out will . ROR Committee will meet again next Friday, Aug. 21.

5. Executive Session – for legal strategy. T. Matuszko requested a motion to go into Executive Session to discuss legal strategy for litigation regarding the ROR cleanup and the appeal of EPA's Permit and EAB's decision. Such discussion, if held in open meeting, could have a detrimental effect on the legal position of the ROR municipalities' legal action with EPA and GE. The Committee will not return to open session. *A motion made by C. Gibson and seconded by C. Rembold, for the Committee to enter into Executive Session, as stated above, carried with the following roll call vote: P. Carlino, Lee, AYE; R. Wood, Sheffield, AYE; C. Gibson, Lenox, AYE; C. Rembold, Great Barrington, AYE; S. Shatz, Stockbridge, AYE. The Committee went into Executive Session at 9:17 am. The Committee did not return to open session.*

6. Adjournment – At 10:24 am, on a motion by R. Wood and seconded by P. Carlino, the meeting was adjourned by unanimous roll-call vote.

Meeting Materials:

- Meeting Agenda 8-14-20
- Draft Meeting Minutes of 7-10-20
- FY21 Rest of River Draft Budget

Respectfully submitted,
Lauren Gaherty, BRPC

FY21 Rest of River Draft Budget

BRPC Budget*			
Meetings	2 mtgs/mos	2.5 hrs/mtg plus 2 hrs prep/mtg (X 3 staff members)	\$ 25,260.00
Review of documents	1 document/mos	2 hrs/doc to coordinate w/EPA, City of Pittsfield and Skeo 4 hrs to review document and provide guidance and review questions with Skeo (X 3 staff members)	\$ 13,560.00
Preparation of Committee Comments	1 comment letter/mos	2 hrs to review Skeo report and draft comment letter 1 hr for follow-up with Skeo and edits	\$ 1,800.00
Coordinate review of revised permit with Committee	1 review & 1 "public meeting"	14 hrs for comprehensive review and summary 3 hrs for public meeting	\$ 1,955.00
Review revised permit	1 review & 1 "public meeting"	14 hrs for comprehensive review and summary (x 2 staff members) 3 hrs for public meeting (x 2 staff members)	\$ 1,870.00
Coordination with Hagen Berman & ESS	coordination of review and amicus	1 hr/week for 8 weeks	\$ 920.00
Review of materials from Hagens Berman & ESS	1 draft and 1 final	4 hrs each (X 3 staff members)	\$ 1,800.00
Hagens Berman Budget (includes ESS)			
Reviewing draft permit	Review for conformance to agreement, analysis and communication with Committee		\$ 12,500.00
Drafting and finalizing a comment in support of permit	Prepare a comment letter in support of the permit, including a roadmap as to how the permit conforms to key remedy selection criteria.		\$ 20,050.00
Drafting EAB amicus brief in support of permit	Draft EAB amicus brief, including review of all briefs submitted by other parties and other amici		\$ 25,050.00
Combined Total			\$ 104,765.00

*BRPC staff time includes Melissa Provencher, Lauren Gaherty and Nat Karns. BRPC staff time does not include Tom Matuszko's time.

Municipality	Estimated Remaining Previously Allocated Funds	FY21 Estimates Expenses	num Allocation
Lenox	\$ 13,792.73	\$ 24,881.69	\$ 11,088.96
Lee	\$ 13,792.73	\$ 24,881.69	\$ 11,088.96
Stockbridge	\$ 28,792.73	\$ 24,881.69	\$ -
Great Barrington	\$ -	\$ 24,881.69	\$ 24,881.69
Sheffield	\$ -	\$ 5,238.25	\$ 5,238.25
Total	\$ 56,378.19	\$ 104,765.00	\$ 52,297.85