

**BERKSHIRE REGIONAL PLANNING COMMISSION**  
**1 FENN STREET, SUITE 201, PITTSFIELD, MASSACHUSETTS 01201**  
TELEPHONE (413) 442-1521 · FAX (413) 442-1523  
Massachusetts Relay Service: TTY: 771 or 1-800-439-2370  
[www.berkshireplanning.org](http://www.berkshireplanning.org)

KYLE HANLON, Chair  
SHEILA IRVIN, Vice-Chair  
MARIE RAFTERY, Clerk  
CHARLES P. OGDEN, Treasurer

NATHANIEL W. KARNS, A.I.C.P.  
Executive Director

## **AGENDA**

**Rest of River Municipal Committee**  
**January 17, 2017, 9:00 a.m.**  
**Former Courtroom, Lee Town Hall**

1. Introductions
  
2. Review of minutes of November 15, 2016 meeting
  
3. Budgeting for future costs
  - DLTA
  - Town budgets
  
4. Executive Session – further legal strategy for probable EPA appeal and appeals court proceedings
  
5. Adjournment

***City and Town Clerks: Please post this notice pursuant to M.G.L. Chapter 39, Section 23B.***

***Please Note: In the case of inclement weather on the day of the meeting, please call BRPC at 413-442-1521, ext. 15 to confirm if the meeting is still being held.***

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## Meeting Minutes

### Rest of River Municipal Committee January 17, 2017, 9:00 a.m., Lee Town Hall

**1. Introductions.** The meeting opened at 9:04 p.m. Attending the session were the following Committee members:

Warren Archey, Lenox Select Board  
Pat Carlino, Lee Select Board  
Christopher Ketchen, Lenox Town Manager  
Bob Nason, Lee Town Administrator  
Steve Shatz, Stockbridge Selectman  
Rene Wood, Sheffield Representative

Others present:

Lauren Gaherty, BRPC  
Nat Karns, BRPC

**2. Review of minutes of Nov. 15, 2016 meeting.** Motion to accept by R. Wood, seconded by S. Shatz. R. Wood noted that the Nov. 15<sup>th</sup> minutes should read that minutes from both Oct. 20<sup>th</sup> and Nov. 1<sup>st</sup> were accepted at that meeting. They also should read that she abstained from accepting minutes of Oct. 20<sup>th</sup> and Nov. 1<sup>st</sup> because she was absent from one of the meetings. Minutes accepted as amended by W. Archey, S. Shatz, P. Carlino; R. Wood, Sheffield.

**3. Budgeting for future Costs.**

N. Karns noted that state District Local Technical Assistance (DLTA) funds have for the past several years funded BRPC staff time for the Municipal Committee, and that the deadline to apply for 2017 DLTA funds is Jan. 20<sup>th</sup>. Committee members agreed that a DLTA funding to provide continued BRPC support in the coming year would be beneficial. It was agreed that L. Gaherty would work with C. Ketchen to get a DLTA application in to BRPC on behalf of the Committee.

N. Karns brought up the issue of continued funding for legal costs, reminding the Committee that each town should consider budgeting the usual \$10,000 into their FY17 municipal budget to ensure that there is enough set aside for future legal costs. R. Wood stated that she hopes that Sheffield will be able to contribute to the budget, but that it would not be at the \$10,000 level. Others at the table indicated a willingness to set aside the funds pending town meeting approval.

4. **Executive Session – further legal strategy.** At 9:09 a.m. N. Karns asked for a motion to move Executive Session to discuss legal strategy for actual litigation regarding the EPA Rest of River Clean-up and GE's appeal of the EPA's Clean-up. Such discussion, if held in open meeting, may have a detrimental effect on the legal position of the Rest of River Municipalities legal action with EPA and GE. As the Agenda for the meeting states, we expect to adjourn from Executive Session and do not expect to reconvene in regular session. Motion made by P. Carlino and seconded by R. Wood. Roll call vote: S. Shatz, Stockbridge AYE; W. Archey, Lenox AYE; P. Carlino, Lee AYE; R. Wood, Sheffield AYE.

5. **Adjournment.** The Committee did not return to regular session.

Meeting Materials:

- Meeting Agenda 1-17-17
- Meeting Minutes of 11-15-16

Respectfully submitted,  
Lauren Gaherty, BRPC