



HOUSATONIC REST OF RIVER MUNICIPAL COMMITTEE

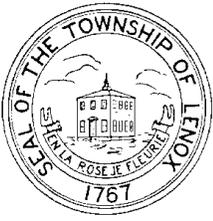
AGENDA

Rest of River Municipal Committee
October 12, 2018, 9:00 a.m., Lee Town Hall

1. Introductions (9:00 am)
2. Review of minutes of October 5, 2018 meeting (9:05 am)
3. Executive Session – legal strategy, mediation (9:15 – 10:45 am)
4. Other Business (10:45 am – 10:55 am)
5. Adjournment (approximately 11:00 am)

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.



HOUSATONIC REST OF RIVER MUNICIPAL COMMITTEE Meeting Minutes

Rest of River Municipal Committee; October 12, 2018, Lee Town Hall,

1. Introductions. N. Karns opened the meeting at 9:03 a.m. Attending the meeting were the following Committee members:

Pat Carlino, Lee Select Board
Channing Gibson, Lenox Representative
Christopher Ketchen, Chief Administrative Officer, Towns of Lee and Lenox
Chris Rembold, Great Barrington Town Planner and Representative
Steve Shatz, Stockbridge Representative
Rene Wood, Sheffield Select Board

Others present:

Lauren Gaherty, BRPC
Nat Karns, BRPC
Tom Matuszko, BRPC
M. Pawa, Esq., Counsel to ROR Committee (9:07am)
Melissa Provencher, BRPC

N. Karns had introductions made around the room and welcomed C. Gibson.

2. Review of minutes of October 5, 2018 meeting. *Motion to accept the minutes as presented was made by S. Shatz, seconded by P. Carlino, and approved 3-0-2, with Great Barrington and Lenox abstaining.*

3. Other Business. As other parties for the Executive Session had not arrived, N. Karns opened discussion on two other items: 1) budget and 2) whether to schedule a de-briefing meeting before meeting with J. Bickerman on 10-19.

Regarding the budget, L. Gaherty presented a Hagens Berman invoice for legal services through September 30, 2018 totaling \$8,560.54. She noted that this invoice, with the prior invoice of \$6000+, effectively equaled the ROR Committee's prior authorization of \$15,000 for legal services, and we will need further funds to pay for M. Pawa's presence in Lee today. Discussion ensued regarding the Committee's legal balance and whether such balance included FY19 allocations. L. Gaherty will have to check and get back to Committee. She has also asked M. Pawa for an estimate regarding legal services for mediation and possibly today's session will help him develop that estimate. T. Matuszko informed the Committee that BRPC has been using DLTA funds to cover their services to the Committee. At present while this original DLTA allocation is overdrawn, he believes there are sufficient DLTA funds, but will have to review the matter again in December 2018. R. Wood motioned, with a second from P. Carlino, to authorize payment of the 10-10-2018 invoice from Hagens Berman and cover Pawa's expenses today; also requested an estimated budget for mediation going forward from M. Pawa. The motion passed on a unanimous vote.

Discussion ensued on a possible de-briefing session on 10-19 at 9 a.m., with the meeting with J. Bickerman at 10 a.m.. Suggestion made to go back into open session after executive session and decide this. All Committee members were available at 9 a.m.

4. Executive Session – for mediation. At 9:13 a.m., N. Karns requested a motion to go into Executive Session for mediation regarding the EPA Rest of River clean-up and the appeals of the EPA's Permit and the EAB decision. Participants in the Executive Session will include ROR Municipal Committee members; BRPC staff; M. Pawa, counsel to ROR Committee; EPA staff; and J. Bickerman. The Rest of River Committee will reconvene in regular session. ***A motion made by S. Shatz, and seconded by P. Carlino, for the Committee to enter into Executive Session as stated above and return to open session, carried unanimously with the following roll call vote: P. Carlino, Lee, AYE; C. Gibson, Lenox, AYE; C. Rembold, Great Barrington, AYE; S. Shatz, Stockbridge, AYE; and R. Wood, Sheffield, AYE.***

5. Return to Open Session. The Committee returned to open session at 11:35am. No additional items were discussed. On a motion by R. Wood, seconded by C. Rembold, and passed unanimously, the meeting adjourned at 11:36 a.m.

Meeting Materials:

- Meeting Agenda 10-12-2018
- Draft Meeting Minutes of 10-5-2018
- Hagens Berman invoice, dated 10-10-2018, for services through 9-30-2018

Respectfully submitted,
Rene Wood, Sheffield's Representative



HAGENS BERMAN

ATTORNEYS AT LAW

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October 10, 2018
Housatonic
Client/Matter # 10696-0011
Invoice No: 267753387

RE: Housatonic

Billing Summary Through September 30, 2018

Fees For Professional Services	\$2,445.00
Expenses and Advances	\$5.54
CURRENT BILL	\$2,450.54
Previous Balance Due	\$6,110.00
Payments Applied Since Last Invoice	\$0.00
Net Balance Forward	\$6,110.00
TOTAL BALANCE DUE	\$8,560.54

PROFESSIONAL SERVICES

			HOURS	AMOUNT
9/4/2018	MFP	Call with clients regarding mediation; review email from Gaherty and suggest edit. L160 A106	0.50	\$200.00
9/5/2018	MFP	Call with J. Bickerman regarding mediation. Email clients regarding same. L160 A108	0.80	\$320.00
9/6/2018	BAK	Review materials in preparation for mediation meeting. L160 A104	1.00	\$250.00
9/6/2018	BAK	Telephone conversation with L. Gaherty regarding mediation meeting. L160 A106	0.30	\$75.00
9/7/2018	BAK	Drive from Boston, MA to Lenox, MA to attend mediation meeting. L160 A112	2.00	\$500.00
9/7/2018	BAK	Meet with Housatonic Rest of River Municipal Committee in preparation for mediation meeting. L160 A109	0.70	\$175.00
9/7/2018	BAK	Attend mediation meeting. L160 A109	2.00	\$500.00
9/7/2018	BAK	Return travel from Lenox, MA to Boston, MA. L160 A112	1.70	\$425.00

Total Fees **\$2,445.00**

SERVICES RECAP

		HOURS	RATE	AMOUNT
BAK	Krass, Benjamin	7.70	250.00	\$1,925.00
MFP	Pawa, Matthew	1.30	400.00	\$520.00

EXPENSES

09/04/2018 American Express; Invoice # Jul-18 AMEX (MFP); Meals, 07/12/18 \$5.54

Total Expenses **\$5.54**

OUTSTANDING STATEMENTS

267753314	09/18/2018	\$6,110.00
	TOTAL	\$6,110.00