



## HOUSATONIC REST OF RIVER MUNICIPAL COMMITTEE

### Meeting Minutes

September 11, 2020; Zoom Meeting

**1. Introductions.** T. Matuszko opened the meeting at 9:04am, announced it was being recorded and took roll call to establish all those attending the meeting. Attending the meeting were the following Committee members:

Pat Carlino, Lee Select Board & Representative (could hear but not be heard for some time)

Channing Gibson, Lenox Representative

Chris Rembold, Great Barrington Town Planner, Assistant Town Manager & Representative (9:20am)

Steve Shatz, Stockbridge Representative

R. Wood, Sheffield Select Board & Representative

And: Tom Matuszko, BRPC

Melissa Provencher, BRPC

Lauren Gaherty, BRPC

And members of the public including:

Joan Angelo

Cornelia Kalischer

Janice Braim

Tim Gray

Cindy Mattias

Judy Herckermer

T. Matuszko asked each of the Committee members to say their name and the community they represented, which was done; he then introduced the BRPC members. He asked others on the call to introduce themselves.

**2. Review of minutes of August 21, 2020 meeting.**

**Motion to accept the minutes as presented was made by S. Shatz and seconded C. Gibson, and approved 3-0 on a roll call vote.**

**3. Public Comment.**

- Cornelia Kalischer: questioned where to find minutes of the ROR Committee's meetings; T. Matuszko explained with the new website BRPC was in the process of bringing up, they should be up shortly. Would not include Executive Session minutes. She also requested another public comment session, which is under the control of EPA, not BRPC and noted she is bothered by the disposal site in Lee and no public comment on this before Settlement Agreement signed. BRPC discussed that the Committee had made Statement of Work comments and these are now public and should be on the EPA's site.
- Cindy Mathies of Lee: reminded the Committee and BRPC staff of BRPC's mission which she said it was not following; political comments made about GE and Trump; wanted the cleanup up done protectively; wondered what skin Sheffield had in the game and stated she/others coming after us.
- Tim Gray: comments on putting toxic dump in Lee in area with low income people and schools; questioned why the river is being cleaned with only 20-30% of the toxins being removed; no sampling

since 1999; no vote in Lee on this; negative comments on the treatment of the public by the selectmen and sad to live in Lee; comments on continuing to vote people out of office.

- Cindy Mathies of Lee: comments on dollars received in settlement and on dump; wanted an extension and face to face meeting; the dump was Lee's worst nightmare; will haunt Committee members from her grave and come after member.
- Judy Herckermer: thanked Committee for adding public comment period and requested another public comment period be added at the end; further questions on minutes and how to access digital recordings and where minutes would be on each of the municipal websites; how does the public get the agendas and the documents associated with each meeting – wanted to be put on a distribution list; wanted the Statement of Work and draft minutes, basically all public items in advance. Also asked for email list for the press and other items not specific to this Committee. She also noted that it was her understanding that the Committee was required to come out of Executive Session and announce to the public what they were going back into Executive Session to vote on. T. Matuszko said this was not his understanding but that he will check into this. She commented on rage and what happens when stakeholders are not engaged; she wanted people told the whys and whats of Committee actions.

#### **4. Monthly Expenses, Other Business & Next Meeting.**

M. Provencher stated she had hoped to have Hagens-Berman and BRPC expenses to present at this meeting but while BRPC for July was \$479.79, she did not have Hagens-Berman invoice. There were no questions from Committee members.

#### **5. Comment Letter Regarding GE Draft Statement of Work (SOW).**

It was also announced that the Committee's comments on the GE Statement of Work (SOW) had been submitted and T. Matuszko answered C. Kalischer's question on how the Committee's work was funded; DLTA funds and public funding from the Towns. She then commended on this matter.

#### **6. Other Business & Next Meeting.**

Committee members had no additional public items and it was announced that a meeting would be tentatively scheduled for 9/18 at 9am if it was so needed, although S. Shatz will not be available.

#### **7. Executive Session – Legal Strategy and Adjournment.**

**On a motion made by C. Gibson, seconded by C. Rembold, and passed by a 4-0 roll call vote, the Rest of River Municipal Committee went into Executive Session for the purpose of discussing legal strategy for litigation regarding the ROR cleanup and the appeal of EPA's Permit and EAB's decision. Such discussion, if held in an open meeting, could have a detrimental effect on the legal position of the ROR municipalities' legal action regarding EPA and GE, and stated it would not return into open session; the Committee went into Executive Session at 9:35am.** P. Carlino was on the line and could hear but could not be heard and was unable to vote in the roll call vote.

The meeting adjourned at 9:35am.

#### Meeting Materials:

- Meeting Agenda 9-11-20
- Draft Meeting Minutes of 8-21-20

Respectfully submitted,  
Rene Wood, Sheffield's Representative