

BAKER HILL ROAD DISTRICT
PRUDENTIAL COMMITTEE
WILLIAM PRENDERGAST, CHAIR

20 Bridge Street, Lanesborough, MA
January 12, 2022– 12:00 P.M

Attending: William Prendergast (Chairman), Hank Sayers, Linda Pruyne, Mark Siegars, Lorna Gayle, Kristen Tool (Website)

Also attending: Josh Lang (Town Administrator), Lynn Baumgartner (Town Accountant), Police Chief Rob Derksen, Jeff Blake (Town Counsel), Tim Sorrell

Absent: John Goerlach (Unable to join virtually)

Meeting called to order: 12:30 PM

Public Comment: None forthcoming

Website Update

Kristen Tool gave a brief update regarding traffic to the BHRD website and pages visited. Most visitors link from the Town website and the Lanesborough, My Hometown Facebook page managed by Ms. Pruyne.

Ms. Tool suggested creating a visual flow chart depicting how the BHRD provides funding to the town. The Committee agreed it was an excellent idea. She will send the proposed visual to Mr. Siegars for review, prior to the next meeting.

Mr. Siegars will forward to Ms. Tool the 2018 Legislation giving the BHRD power to undertake economic development projects for posting on the website.

Minutes

Minutes of December 9, 2021. A motion to approve the minutes was moved by Mr. Sayers, seconded by Mr. Prendergast. All in favor.

Road Maintenance

Mr. Decelles is away on medical leave. The report will be moved to the next meeting.

Legal Issues

Tax Moratorium Extension

Mr. Siegars reported that the DOR informed him that the moratorium on tax payments ended without exception on June 30, 2021. Mr. Siegars has written to Senator Hinds' office to get clarification from him as the Mall owner insists that the Moratorium is still in effect. At the time of this meeting Senator Hinds office had not responded.

Response to Special Act by Mall Owner

Jeff Blake, Town Counsel, joined the meeting to go over the provisions of the proposed Special Act to overturn the Baker Hill Road District as defined by the Massachusetts Legislature Special Act of 2018 from the Town's perspective and to get insights to amend or eliminate the Special Act from the Committee.

Mr. Siegars also reminded the Committee that they have ten days from 2/8 to send in the Auditors report. Mr. Siegars requested a vote to enable Mr. Prendergast to sign a letter of response within the ten day period to any and all issues that he deems worthy of response. The motion as stated was moved by Mr. Goerlach, seconded by Mr. Sayers. All in favor. Aye.

Budget Issues

Mr. Siegars and Ms. Pruyne will be getting together to go over the budget for next year. Ms. Pruyne reviewed expenses for the coming year.

Website Update

Ms. Tool confirmed the 'flow of money from the BHRD to the Town' graphic has been created for the website. She has also noted that information about the Road District posted on Facebook drives bursts of interest. The average visit is about three minutes.

Executive Session

MOTION: Motion was made by Mr. Goerlach to go into Executive Session pursuant to M.G.L. C 30A §21(3), and 940 CMR §§ 29.02-29.03 to discuss strategy with respect to litigation as an open meeting may have a detrimental effect on the bargaining or litigating position of the District, and to consider the purchase, exchange or lease for value of real property, that is discussed in a open meeting may have a detrimental effect on the negotiating position of the Baker Hill Road District.

Mr. Sayers seconded the motion. All in favor. ROLL CALL vote was taken, and unanimously approved.

Executive session called to order at 12:35 pm

The Committee adjourned from Executive Session at 1:16PM

The Committee returned to the general session and a motion to adjourn was moved by Mr. Sayers, and seconded by Mr. Goerlach. All in favor.

A motion was moved by Mr. Goerlach, and seconded by Mr. Sayers to approve a legal expense in the amount of \$14,000, not to exceed \$20,000 for an expert witness. Aye, Mr. Goerlach. Aye, Mr. Sayers. Aye, Mr. Prendergast.

Motion to Adjourn the meeting moved by Mr. Sayers, seconded by Mr. Prendergast. All in favor.

Meeting Adjourned: 1:06 PM

Future Meeting: March 9, 2022 at 12 PM. Water District Office, Bridge Street.