

SHERWOOD GREENS ROAD IMPROVEMENT AND MAINTENANCE DISTRICT
413-274-2374

Prudential Committee Minutes for November 2, 2019

The meeting was called to order at 9:06AM.

Present were Committee members Terry Hayden, Karen Brodie, Dean Lagroterria, Bruce Lipton, Marc Schultz, Emily Pfeiffer

Also present were Bob Moore-District Road Supervisor, Kathy Borden-Treasurer and Laurie Boucher-District Clerk

Residents in attendance: Sandy Moore, Jim & Rosalie Laczak, Susan & Steve Hovani, Joe Gaze, Margaret Rodriguez

All attendees were advised that meeting will be recorded

Review October 5, 2019 Minutes

October minutes reviewed - motion made to approve and seconded- all in favor

Action items:

Laurie:

Road Superintendent job description copies provided

Ernie & Bob:

Review of roads completed. Hydraulic oil spill to be cleaned up during GRR by Ernie or Gary.

Emily:

Final linking of Bob's phone to Google service

Kathy:

Provided breakdown of amount paid to divers to date

Terry:

Contacting Dr Lawrence regarding culvert since existing telephone number does not work.

Road Report

- Gary O'Brien did work on roads in absence of Ernie
- Complaint received from resident regarding loss of property due to road encroaching- resident to perform survey- Terry discussed with District Counsel
- Damaged trees removed following storm

- Quote from Gary received for culvert repair on Long Bow Lane West which is \$400 less than quote received from Ernie. Awaiting response from homeowner (Dr. Lawrence) regarding shared cost before vote is taken regarding company for repair.
- Fairway Dr. repair- quotes received from Gary & Ernie. Bob is able to approve quotes up to \$600 and submit invoices for payment.
- Grade/Rake & Roll - Ernie states that it will be done in Mon/Tues of coming week. If not done by then work will go to Gary. Gary has also agreed to remove the hydraulic fluid if work is not done by Ernie.
- Ernie refusing to answer calls from Bob and instead chooses to contact Terry directly.
- Resident asked about conflict with having work done by Always Growing & Gary. Terry explained that the contract with Always Growing is for snowplowing only & any additional work is pay per task. Tax ID number and insurance certificate will be obtained by Treasurer when adding a new vendor.
- Ernie is aware of competing bids. For work under \$10,000, competing bids are not needed. When obtaining bids for work over \$10,000 then the Board needs to have 3 bids to review. Bob presented 3 snow plowing bids for review along with Ernie's bid:

White Wolf Trucking - \$28,500 per year

Always Growing - \$ 17,000 per year

Delaney's Trucking - \$18,000 per year

Gary O'Brien - \$16,800 per year

These bids include the same contract terms

- Discussion regarding whether Ernie had already been paid for grade/rake/roll and removal of hydraulic fluid. Treasurer determined that he had not.
- Pot hole question brought up in email from Michael Lavery - pot holes will be repaired by grade/rake & roll. Question about carved out sections of road (to aid in run-off) may create a hazard for cars sliding off the road in the winter brought up in the same email from Michael Lavery were discussed by the Board and they feel that it won't cause an issue with road travel in the winter due to barrier created by snowbanks.
- Per Bob numerous residents have contacted him regarding poor plowing service recently and they have all signed a letter stating their dissatisfaction and requesting a change. Terry requests that residents attend the Prudential

Committee meeting or call the SGRD number (413) 274-2374 to voice their concerns.

- Per Terry, Ernie has submitted a signed snowplowing contract, but the Board has not yet signed. Discussion ensued regarding if we sign contract with Always Growing and then feel that the service is not acceptable then we may not be able to get another company to fulfil the contract because they will already be booked with other customers.
- Acknowledgement by Board that road report section had been moved to first agenda item in order to accommodate Ernie who said he could attend the first part of the meeting but then had to leave...however Ernie did not make an appearance at the meeting, nor did he call.
- Resident brought up Ernie's proximity to respond to urgent requests and willingness to wait for payment if needed. She questions if a new company would be willing to have the same agreement.
- Resident brought up that Board member should have discussion regarding service issues with Ernie instead of Bob due to obvious conflict between them. Terry will have discussion with Ernie.
- Motion by Emily that Board not sign the new contract with Always Growing. Motion seconded
- Motion by Marc that Board engages Gary O'Brien for 1 year contract with the same terms as the current contract for \$16,800. Motion seconded- all in favor (1 abstained (Terry) due to not being in favor of change in vendors at this time) Dean later questioned reason for Terry abstaining and she clarified by saying that she was not in favor of changing vendors at this time due to how close it was to the winter snowplowing season
- Motion to allow Terry to sign off on snow plowing contract with Gary O'Brien once received as long as it mirrors the contract with Always Growing except for the cost being \$16,800. Motion seconded- all in favor
- Terry to contact Ernie this evening regarding the decision to go with another vendor for snowplowing, to discuss equipment left in district and to request that grade/rake & roll service be completed by Tuesday or Board will go with another vendor for that service as well.

Motion to accept Road report made & seconded, all in favor

Treasurer's Report

Update on property tax received year by year

2017- \$89,434

2019 - \$95,000

2018 - \$94,000

2020 so far- \$36,479

Cash report- distribution \$5,678.50

One small invoice outstanding for Always Growing (approximately \$100)

Budget report reviewed

Motion made to accept Treasurer's report- motion seconded- all in favor

Review and Sign Warrant

Reviewed and motion made to accept - motion seconded- all in favor

Lakes Report

Wagner contract has been revised as requested to increase insurance liability amount.

Bruce was previously given authorization (by the Board vote) to sign the contract. Kathy provided address for invoices to be mailed to.

Motion made and seconded to accept lakes report- all in favor

Berkshire Mosquito Control final update for season

Emily spoke with Chris Horton. There have been no positive results of tests for diseases

Threshold is below the need for spraying

Spam of false invoice received by Board has been addressed

Motion to accept mosquito report made & seconded, all in favor.

Correspondence and Additional Business

Email received by Terry from Michael Lavery regarding open position on Board. Terry has contacted District Counsel to clarify the need for a special meeting to elect another member. Counsel agrees that 6 active board members is fine. Board cannot appoint someone to fill in until election at the next annual meeting (this was done in the past in error).

October agenda not having been posted on the town website was discussed with town counsel due to the question of the October meeting having been legal.

On Friday, November 1, 2019, 5:19 PM, Goodman, Elisabeth C. wrote:

Hi Terry

Since the October meeting agenda was not posted at Town Hall, we suggested a number of responses:

- 1) The District clerk should send the agenda to the Town Clerk with an email requesting an automatic receipt when the email is read, and if the district clerk does not get the receipt, then she should follow up with the Town Clerk.
- 2) The Prudential Committee can discuss the failure to properly post notice for the October meeting at the new business section of the November meeting. Then the committee can vote to ratify the actions taken by the committee at the October meeting, including the vote on the warrant and approval of the treasurer and secretary's October reports. Also when the Committee approves the October minutes that can be a vote to ratify the actions and approve the minutes.

Best,

Elisabeth C. Goodman | Partner

Cain Hibbard & Myers PC

Read receipt emails to be utilized by District Clerk and Treasurer when conversing via email with Town going forward.

October meeting decisions and votes discussed, and minutes have been approved.

There being no further business, the meeting was adjourned at 11:06am

Respectfully submitted,

Laurie Martin, District Clerk

Documents discussed at this meeting:

FY19 Budget Expense Report November 1, 2019

Monthly Cash Report November 1, 2019

Warrant November 1, 2019 - Signed

4 snow plowing Bids- see info in Road Report