

The Special meeting of the LHA was held on Wed. April 20, 2016 at 4:30 at the Curtis, 6 Main St.

1. The meeting was called to order by Vice Chairman M. Pero at 4:30 PM.

2. Roll Call:

Present – M. Pero, Vice Chairman

T. Sorrentino, J. Ward – Members

M. Joyner, Exec. Dir.

3. Agenda:

a. SJA Solar LLC – Early Termination Clause – board vote

As instructed by board at Apr. 5, 2016 meeting, Exec. Dir. continued reviewing the original solar agreement that was signed on Sept. 10, 2015 by Steve Plonsker, SJA solar and Sept. 21, 2015 by M. Joyner, LHA. On Apr. 14, 2016 M. Joyner contacted Paul McPartland at Department of Housing & Development to discuss the early termination clause (2.2) and the possibility of exercising it without liability if the provider (SJA Solar) has not commenced construction as in deploying materials and machinery to the site to install the system within 180 days of effective date of agreement, unless NRG can prove otherwise. To date the LHA is not aware that has happened. Exec. Dir. explained board's displeasure with the lack of notification of sale, the very unprofessional amendment to original agreement, and their vote to postpone signage until answers are provided and the official notification from Klaven Law firm or SJA Solar stating interest sold to NRG and date. Before exercising the early termination clause, Paul advised Exec. Dir. to request an update from NRG on the status of the project including start date of construction (if any) which should have been within 180 days of effective date, and confirmation of construction underway as well as an estimated date for start of operations – anticipated date is on or before Dec. 31, 2016. Marge made the motion to direct Exec. Dir. to follow up with NRG as advised by Paul with an update to be given at next regular meeting. J. Ward seconded and all in attendance voted in favor. Depending on the update board will decide whether or not to pursue early termination clause (2.2). Exec. Dir. stated there are several local solar sites in Berkshire County that are in construction phase – have spoken to a representative from Lodestar who has assured room on their grids for us if this agreement falls through.

4. M. Pero adjourned the meeting at 5:00 PM.

Respectfully Submitted,



Martha Joyner, Secretary
Executive Director