

**SOUTH HADLEY ELECTRIC LIGHT DEPARTMENT
BOARD OF COMMISSIONERS EXECUTIVE SESSION VIRTUAL MEETING
OCTOBER 26, 2023, AT 5:15 P.M.**

Present for Board: Chair John Hine, Vice Chair Denise Presley, Paul Dobosh, Kurt Schenker (arrived 5:31 PM due to technical difficulties).

Absent: Ron Couto

Additional Attendees: Katharine Shove-Harrington, SHELD Legal Counsel, Sean Fitzgerald, SHELD General Manager, Michael Conchieri, SHELD Financial Manager

The virtual meeting open session was called to order by Chair John Hine at 5:15 P.M. following an open session motion, by Mr. Dobosh and seconded by Ms. Presley, to move into Executive Session (pursuant to Purpose 3 and Purpose 10) to discuss particulars of the matters that are confidential and exempt from public records relating to the minutes of the 12/20/22, executive session relevant to Walter Hamilton's open meeting law complaint. Such is properly confidential as an open meeting may have a detrimental effect on the litigation position of the public body since the public body will discuss specific revisions to the 12/20/22 executive session minutes per an order of the Attorney General's Office, requiring discussion of confidential information embedded in prior executive sessions relative to trade secrets, confidential and competitive-sensitive information. Thereafter, the public body shall label the revised minutes as Version Two, amended on 10/13/23. Return to open session at 6:00 PM.

Attorney Shove-Harrington explained that she revised the executive session minutes in accordance with the Attorney General Office's order, and that she provided the board two versions of the minutes—one with redlines identifying confidential information that should be redacted before posting and one with the necessary redactions in place. Attorney Shove-Harrington told the board she informally spoke with the Assistant Attorney General assigned to this a matter in order to obtain guidance on the minutes prior to preparing the included versions.

Attorney Shove-Harrington told the board that she updated the minutes in accordance with the Attorney General Office's guidance to include more details about the discussion during December 20, 2022, executive session which led to decisions about general manager Sean Fitzgerald's contract (including his raise and bonus) following the meeting. Attorney Shove-Harrington explained that in the future, all executive minutes should be drafted to include confidential competitively sensitive information that was discussed during the session and that, before being posted for the public, the competitively sensitive information should be redacted as advised by the Assistant Attorney General assigned to this matter.

Attorney Shove-Harrington then asked the board if the revised executive session minutes were accurate and Chairman Hine confirmed they are accurate, Commissioner Dobosh stated they do reflect the discussions and Vice Chair Presley agreed.

Mr. Fitzgerald stated the board voted to preserve competitively sensitive information last year in accordance with MGL c. 164, §47D, and that discussing competitively sensitive information in open session can have a negative impact on SHELDT's ability to compete on telecommunications contracts.

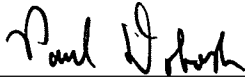
Attorney Shove-Harrington stated that once the board approves of the revised minutes in open session, she will send the redacted version to the Attorney General's Office, certifying that the executive session minutes have been revised in compliance with the AGO's order.

Adjourn

On a motion by Mr. Dobosh, seconded by Ms. Presley, it was

VOTED: To adjourn the executive session and return to the open session at 6:00 PM. by a roll call vote: Dobosh-aye, Presley-aye, Hine-aye. Mr. Schenker did not reply due to apparent technical difficulties.

The Executive Session ended at 5:34 PM.



Paul Dobosh, Clerk

Approved: November 30, 2023