

Southfield Redevelopment Authority (SRA)
Board of Directors & Conservation Commission Remote Participation Meeting
Wednesday, September 1, 2021 @ 7:00pm

Directors Remotely Present: Tom Henderson, Chairman
David Rubin, Vice-Chairman
Pat O’Leary, Clerk
Kelli O’Brien McKinnon
Chris Primiano
Kevin Donovan

Not Present: Bob Rizzi
Brittany Besler

Also Remotely Present: Jim Young, Land Use Administrator
Eric Hart, Treasurer

The Chairman called the meeting to order at 7:00pm and said:

The application Webinar #849-0791-5200 provided through ZOOM and a Passcode of 495814 will be used for this remote participation meeting.

The Zoom online link and dial-in instructions were provided 48 hours in advance of the meeting.

Open Session Minutes

VOTED: Motion of Kelli O’Brien McKinnon, seconded by Pat O’Leary, to accept the August 12, 2021 minutes as written.

5-0-1 roll call vote; Kevin Donovan abstained

Fiscal Year 2020 Audit Exit Interview

Rob Lynch and Grady Connor of Lynch Marini & Associates, Inc., provided an overview of their findings. Mr. Connor stated that their duties are to report on each opinion unit on financial statements, deficiencies, and other matters that Lynch Marini & Associates deem important.

Yellow Book findings:

- Material weakness in internal control in financial reporting
 - Timing of the audit; not finished on time
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- Lack of segregation of duties due to limited personnel

Mr. Donovan said he wanted his questions entered into the record to show effort is being made to address material weaknesses:

- In regards to material weakness in internal financial control, additional personnel is not possible due to financial constraints
- Would it be appropriate to require, at the first meeting of the month, a monthly revenue and expenditure report, along with a quarterly flash-review by an independent firm?
- If we are not adhering to minimum standards, a mechanism is needed to address shortfalls.

Mr. Lynch said it would need to be a comprehensive approach; a risk assessment would be needed.

Mr. Donovan asked if the Board could discuss, at a future meeting, a policy statement to begin requiring a Monthly Revenue and Expenditure report.

Chairman Henderson recommended the creation of a financial oversight sub-committee that would report back to the Board. He also suggested the Advisory Board meet quarterly instead of yearly.

Mr. Donovan said, regarding the past issue of water and sewer, the SRA has a verbal agreement with Weymouth on the collection of water and sewer revenue, yet the SRA is still responsible for the maintenance, with no funding coming from Weymouth. He asked if the verbal agreement should be put in writing; Mr. Connor agreed.

Mr. Donovan asked if the Enterprise Fund could be put on a priority list, and if 'financial oversight' could be put on a future agenda.

Ms. O'Leary asked about staffing numbers; Mr. Hart said the DOR has stated there is an additional financial person needed. Currently, Brittany Besler, CPA, is reviewing bank reconciliations, and Mr. Young receives and tracks all revenue received by check before it goes to Mr. Hart.

VOTED: Motion of Kelli O'Brien McKinnon, seconded by Dave Rubin, to accept the Independent Auditor's Report.

6-0-0 unanimous roll call vote

Conservation Commission

Measure 21-11 Woodstone Crossing (formerly Transit Village)

-Certificate of Compliance Woodstone Crossing; MassDEP File # SE081-1157

-Certificates of Compliance (COC) Brookfield Village (formerly Winterwoods); MassDEP File #'s SE081-1161, and SE081-1162

Mr. Young said these COC's are for construction of the two Pulte Homes projects that were completed in late 2018 to early 2019. He explained that the Brookfield Village Homeowners Association questioned some work, some of which was within Conservation Commission jurisdiction (functioning of the wet detention pond, and the condition of the walking trails). Mr. Young stated that the outstanding items have been completed and the Board has received the related approvals from Mr. Ivas and Amory Engineering.

Measure 21-11

VOTED: Motion made by Kevin Donovan, seconded by Kelli O'Brien McKinnon, that the Conservation Commission issue Certificates of Compliance for Mass DEP File #s SE 081-1157, with condition #'s 66, 68 & 69 as on-going; SE081-1161, with conditions #s 63, 65 & 66 as on-going; and SE081-1162, with conditions #s 61, 63 & 64 as on-going
6-0-0 unanimous roll call vote

Status of transfer of remaining Navy-owned property

Mr. Young stated that he hopes to receive three deeds (three parcels totaling approximately 23 acres) from Navy for the Board to consider at the next meeting so that the subject property can be conveyed to the SRA , prior to September 30, 2021.

Mr. Donovan asked:

- What is the likelihood of the remaining FOST parcels being transferred; Mr. Young said the Navy is willing to transfer to SRA, and that the Navy hopes to have completed the FOST (Finding of Suitability to Transfer) process on most of the remaining parcels in 2022.
- Has the Navy done anything on PFAS?; Mr. Young said the Navy is making progress on this front, especially in evaluating the nature and extent of PFAS.

Ms. O'Leary asked if Dave Barney (Navy) could come to the next meeting; Mr. Young will reach out.

Treasurer's Report: none

Public Comment

Mary Parsons of Rockland mentioned the complexity of transferring the remaining Navy-owned parcels.

Topics Not Reasonably Anticipated by the Chair 48 hours in advance of the Meeting:

Chairman Henderson announced the SRA vs. LStar suit has been settled. Originally, SRA asked for \$19 million, and the judge awarded a \$10 million attachment. LStar defaulted so they were forced to pay damages of three (3) times the original \$19 million; the SRA was awarded \$59 million in damages.

Next Meeting: September 22, 2021

Executive Session

Chairman Henderson said the Board would be going into Executive Session (1) to approve Executive Session minutes for the following dates: February 3, 2021, March 3, 2021, March 17, 2021, April 28, 2021, May 26, 2021, June 21, 2021, and August 12, 2021, (2) to discuss strategy with respect to pending litigation and litigation that is otherwise demonstrably likely where an open meeting may have a detrimental effect on the bargaining or litigating position of the Southfield Redevelopment Authority pursuant to Gen. L. c. 30A Section 21(a)(3) to wit SRA v. LStar Southfield, LLC, et al, and (3) to consider the purchase, exchange, lease, or value of real property, the disclosure of the property itself would have a detrimental impact on the bargaining position of the Southfield Redevelopment Authority, and (4) to discuss strategy with respect to contract negotiations with non-union personnel (Land Use Administrator and Treasurer) and not to reconvene in Open Session.

VOTED: Motion of David Rubin, seconded by Kevin Donovan, to go into Executive Session and not to reconvene in Open Session.

6-0-0 unanimous rollcall vote

Open Session ended at 8:03pm.

Patricia Fitzgerald, Recording Secretary

Tom Henderson, Chairman

Documents reviewed during the meeting:

Measure 21-11

Lynch Marini & Associates audit report dated Sept. 1, 2021