

BERKSHIRE REGIONAL PLANNING COMMISSION
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KYLE HANLON, Chair
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NATHANIEL W. KARNS
Executive Director

APPROVED MINUTES OF THE BERKSHIRE REGIONAL PLANNING COMMISSION MEETING

**Thursday February 22, 2018
At BRPC Office**

I. Call to Order

A. The meeting is called to order at 5:00 PM

Chair Kyle Hanlon reminded all per the open meeting law, BRPC records all meetings. Others may record the meeting after informing the chair. Any documents presented must be left with the chair at the meeting.

B. Introductions/Roll Call

The following Commission members are present:

John Duval – Adams Alternate
Peter Traub – Cheshire Delegate
Carl McKinney – Clarksburg Delegate
Chris Rembold – Gt. Barrington Alternate
Buck Donovan – Lee Delegate
Pam Kueber – Lenox Delegate
James Mullen – New Marlborough Delegate
Kyle Hanlon – North Adams Delegate
Sheila Irvin – Pittsfield Delegate
Rene Wood – Sheffield Alternate
Marie Raftery – Stockbridge Delegate
Carole Owens – Stockbridge Alternate
Sarah Hudson – Tyringham Alternate
John Garcia – Windsor Delegate

Staff Present:

Nathaniel Karns – Executive Director
Marianne Sniezek – Office Manager
Pat Mullins – Community and Economic Development Program Manager
Lauren Gaherty – Senior Planner
Chris Gruba – Senior Planner
Jennifer Kimball – Senior Planner

Others Present:

Andy McKeever – iberkshire Staff
Amanda Drane – Berkshire Eagle Staff
Ben Graver – Berkshire Eagle Staff
Josh Landes - WAMC

C. Approval of Minutes January 18, 2018 Meeting

Jamie Mullen moved to approve; Rene Wood seconded by. Unanimously approved with 2 abstentions.

II. Comments from the Public – None

III. Delegate & Alternate Issues – None

IV. Regulations and Network Design for Wireless Infrastructure in the 5G ERA

Anthony Lepore, general counsel and partner of Cityscape Consultants, Inc. gave a presentation on Regulations and Network Design for Wireless Infrastructure in the 5G Era - local land use regulations have not kept pace with rapid advances in wireless communications infrastructure. Changes in Federal law and potential changes in state law may impact where wireless structures go in your community and where you can still regulate. The Commission learned how federal and state law impacts your local community's regulation of wireless infrastructure, where the next battlefield will be for infrastructure siting, and what tools are still available for you to regulate the design and placement of this infrastructure.

The important message for municipalities is to address local rules now to be prepared for the new legislation. Massachusetts has not adopted the legislation yet, but other states have. The new legislation says it will speed up the process, but local control is lost. The new legislation will make it very labor intensive to review and the time will be short because of the shot clock rule.

Fiber optics is not cost effective to go to every home. Fiber is the backbone and wireless the method to get to access to each home. To do that there will need to be one pole for every 7 to 12 homes.

Mr. Lepore suggested local communities should recommend other locations for the poles to the applicant. Ask the applicant why they can't go to the other locations before the application is approved. Ask what the preferred location and design is. Encourage local officials to do this before the new legislation passes.

Power point presentation link on BRPC website:

<http://berkshireplanning.org/events/announcements/regulations-and-network-design-for-wireless-infrastructure-in-the-5g-era>

Kyle thanked Mr. Lepore for his presentation.

V. Consideration of Comments on Draft State Rail Plan

The Draft State Rail Plan has been released for public comments. Staff have reviewed the draft and prepared comments on several issues important to the Berkshires which we believe have been inadequately addressed.

Nat gave an overview on the State Rail Plan. Nat encouraged all to comment on the plan.

There was a discussion on changes to the draft comment letter. Suggested changes are to add the last two paragraphs of the Berkshire County Selectmen Association's letter or to endorse the comments made in the Selectmen's letter and attach the Selectmen's letter to BRPC's comment letter. Add the Housatonic freight line should be a tier 2 study in the plan. Strengthen the first paragraph, the next section should be the strongest point by moving the Berkshire Flyer Service to another section in the letter, add the importance of rail from Western Massachusetts to Albany, NY and Vermont.

Jamie Mullen made a motion to endorse the Comment Letter with modifications on the Draft State Rail Plan; seconded by Carl McKinney. Unanimously approved.

VI. Selection of New BRPC Executive Director

Kyle thanked the Executive Director Search Committee members, Ellen Kennedy, President of Berkshire Community College, Sheila Irvin, Rene Wood, Lauren Gaherty represented the staff and Marianne Snizek for Administrative Support.

Kyle answered a question that arose at the Executive Director Search Committee meeting on February 15, 2018. The Executive Director Search Committee received one female applicant.

Kyle explained the committee will not be making a recommendation. Each Committee member will have the opportunity to express their own opinions on the candidates.

Each Executive Director Search Committee member present at the meeting highlighted the excellent candidates and their thoughts.

Rene Wood endorsed Thomas Matuszko. Kyle explained in a hand out tonight was Ellen Kennedy's recommendation. Kyle stated again that BRPC received excellent applications for the position and he would be recommending Thomas Matuszko to be BRPC's next Executive Director.

Kyle opened the discussion up to those in attendance.

Commission members discussed the three candidates and the choice should be made on the best person qualified for BRPC and the region. After the discussions, Rene pointed out in the packet of materials the comments from Patricia Mullins and Roger Bolton on the candidates. Both Pat and Roger sat through all three interviews.

Kyle announced he would accept a motion for next Executive Director of BRPC.

Rene Wood made a motion to forward the name of Thomas Matuszko as BRPC's next Executive Director and the Executive Committee to negotiate terms of employment; seconded by Sarah Hudson. Twelve votes in favor and one opposed.

Nat asked for clarification on the motion. Nat explained out of 8 RPA's he received information from, 3 have contracts for their Executive Director while the others do not. He has served as an employee at will.

Rene Wood made a second motion to allow the Executive Committee to negotiate terms of employment by securing a contract or as an employee at will; seconded by Sarah Hudson. Unanimously approved.

Rene initially made a motion to put in place a process for searching for an Assistant Director. After a discussion to allow the new Executive Director to determine staffing needs, Rene withdrew her motion.

VII. Approval of Executive Committee Actions between January 18, 2018 and February 22, 2018

Rene Wood moved to approve Executive Committee actions between January 18, 2018 and February 22, 2018; Jamie Mullen seconded by. Unanimously approved.

VIII. Executive Director's Report

A. Comments on State Rail Plan due to MassDOT no later than Friday, March 2nd

The draft State Rail Plan was open for public comment until Friday, March 2nd. A copy of the draft plan may be found at https://www.mass.gov/files/documents/2018/01/26/2018PubComm_1.pdf We encourage comments on the plan; we welcome reinforcement of BRPC's suggestions (see letter earlier in agenda) and those of the Berkshire County Selectmen's Association (copy attached).

Jamie encourage all to comment before March 2nd.

B. Culvert Replacement Municipal Assistance Grant Program – April 6 Application Deadline

The Division of Ecological Restoration in Mass Fish & Game was seeking proposals for replacing undersize, perched, and or degraded culverts located in areas of high ecological value. The Notice of Grant Opportunity is attached.

C. DEP Section 319 Nonpoint Source Pollution Competitive Grants – Pre-RFR Meeting – Tuesday, March 6th, Worcester

DEP was starting the FY 2019 grant application process for water quality improvement projects. Applications will be due around June 1st. The announcement for the pre-Request for Responses meeting is attached.

D. Community Branding & Wayfinding Workshop – Wednesday, March 7th, Springfield

The announcement for the upcoming Massachusetts Downtown Initiative's Community Branding & Wayfinding Workshop is attached.

E. Age Friendly Berkshires Action Plan Launch Celebration – Tuesday, March 13th, Berkshire Hills Country Club, Pittsfield

Save the date for the launch of the Action Plan for Age Friendly Berkshires. The goal of Age Friendly Berkshires is "Making the Berkshires a great place to grow up and a great place to grow old!" The "save the date" announcement is attached.

F. Annual Citizen Planner Training Collaborative Conference - Saturday, March 17th, Worcester

The 2018 Citizen Planner Training Collaborative conference was accepting registrations. The announcement is attached. This is typically a very good program for planning and zoning board members and, even though it means giving up a Saturday, is very helpful in expanding your knowledge about planning and zoning. For more information or to register, go to: <http://masscptc.org>.

G. 5th Thursday Dinner for Planning & Zoning Boards – March 29th

Save the date for the next BRPC 5th Thursday Dinner for Planning & Zoning Boards. Details are being worked on and announcements should be sent in the next couple of weeks. For further information contact Assistant Director Tom Matuszko at tmatuszko@berkshireplanning.org or 413-442-1521, ext. 34.

H. Other – District Local Technical Assistance

Nat informed all the contract has been received and the work has begun on regional projects. For example, Marijuana and Rest of River. Marianne informed all that Tom was in the process of informing individual communities of the projects were work will be done.

IX. Adjournment

Rene Wood made a motion to adjourn; seconded by Carl McKinney. Unanimously approved. Adjourned at 7:00 pm.

Materials distributed or presented during this meeting:

Meeting Agenda

Draft Meeting Minutes January 18, 2018

Approval of Executive Committee Actions Memo

Executive Director's Report

Comments of the Berkshire County Selectmen's Association regarding Draft State Rail Plan

BRPC Draft State Rail Plan Comment letter

Notice of Grant Opportunity for Culvert Replacement Municipal Assistance Grant Program

DEP Section 319 Nonpoint Source Pollution Competitive Grants Program

Massachusetts Downtown Initiative – What is Community Branding & Wayfinding? A Tool for your Downtown

Age Friendly Berkshires Save the Date!

17th Annual CPTC Conference

BRPC Executive Director First Round Interview Questions

BRPC Executive Director Second Round Interview Questions

Thomas Matuszko Resume packet

Sean Maguire Resume packet

Sungman Kim Resume packet

Thomas Matuszko ED Supplemental Information

Thomas Matuszko Letter of Recommendation

Sean Maguire Summary

Sean Maguire Interview Addendum

Regulations and Network Design for Wireless Infrastructure in the 5G ERA power point

Age Friendly Flyer

Ellen Kennedy Recommendation

Roger Bolton Recommendation

Patricia Mullins Recommendation