

KYLE HANLON, Chair
SHEILA IRVIN, Vice-Chair
MARIE RAFTERY, Clerk
CHARLES P. OGDEN, Treasurer

NATHANIEL W. KARNs, A.I.C.P.
Executive Director

APPROVED MINUTES OF THE EXECUTIVE COMMITTEE MEETING

Thursday,

February 2, 2017

**At the Berkshire Regional Planning Commission Office
1 Fenn Street, Suite 201, Pittsfield, MA 01201**

I. Call to Order

A. The meeting is called to order at: 4:02 p.m.

Chair Kyle Hanlon started the meeting by reading a statement regarding 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 of the meeting.

B. Roll Call:

Kyle Hanlon, Chair
Sheila Irvin, Vice Chair
Chuck Ogden, Treasurer
James Mullen, Environmental Committee Chair
Marie Raftery, Regional Issues Committee Chair
Roger Bolton, At Large
John Duval, At Large

A quorum is present.

Others Present: None

Staff Present: Nat Karns, Executive Director
Tom Matuszko, Assistant Director
Marianne Snizek, Office Manager

II. Approval of Minutes of Executive Committee Meeting of January 12, 2017

Jamie Mullen moved to approve with corrections; seconded by Roger Bolton. Unanimously approved.

IV. Financial Reports

A. January Expenditure Report

Everyone reviewed the completed expenditure list for December to January.

Jamie Mullen moved to approve the Expenditures as presented; Roger Bolton seconded. Unanimously approved

B. Accounts Receivable Report

Staff is continuing to follow up on aged receivables over 90 days. None of the aged receivables are at risk.

C. Other – None

V. Delegate and Alternate Issues – None

VI. Committee Reports

A. Commission Development Committee

Tom reported the next 5th Thursday will be March 30th at the Country Club of Pittsfield. The topic will be Stormwater Management. The speaker will be a consultant from Comprehensive Environmental Inc. (CEI).

Tom provided a brief update about the recreational marijuana workshop. He reported the workshop was well attended. Approximately 70 to 75 people attended from many boards, municipal officials, public safety, public health including the police and community organizations. The speaker Attorney Ray Miyares did a good job. Many questions were raised. Jamie pointed out the state does state cannabis is not Agriculture, but what is it?

Tom explained the legislative committee is convening to clarify questions with amendments to the law. Regarding prohibition or limit the number, the language in the ballot question "vote of the voters" is subject to interpretation. One interpretation is it must be on a ballot. Miyares interpretation is a town's vote of the voters could be an open town meeting, a city or town with representative town meeting would have to go through the ballot process at a general election.

B. Other – Environmental Review Committee

Nat reported BRPC received and ENF for a Mt. Washington culvert repair due to a failing culvert. The recommendation is a slip line which is a smaller pipe in place inside the larger pipe. Nat felt an Environmental Review Committee meeting would probably not be needed. This will be on the Monitor on February 8th and comments will be due by February 28, 2017. Nat asked for a motion to allow staff and the Environmental Review Committee to review and if comments are needed would draft comments to be submitted.

Roger Bolton moved to have the Environment Review Committee review the Mt. Washington Culvert Repair ENF and draft comments if necessary; Chuck Ogden seconded. Unanimously approved.

VII. Items Requiring Action

A. Approval to Apply for Funding from the Western Region Homeland Security Advisory Council to Build Resilient Communities to Combat Community Violence

The Executive Committee was requested to approve that the Executive Director to apply to the Western Region Homeland Security Advisory Council for funding for a project to build community resiliency to combat community violence and to sign any resulting contracts and agreements. No BRPC match is required.

Nat explained this would be for the Morningside and West side area in Pittsfield to build a more cohesive neighborhood to combat violence, targeting the instability of these neighborhoods. In this area, there is a high immigrant population. Nat is not aware of a deadline.

Both Jamie Mullen and Roger Bolton requested more detailed information on the application.

No motion was made.

Roger asked about the climate of Federal funding of grants. Tom explained with the new

administration BRPC was concerned about new EPA grants would not be renewed. BRPC has received notice we can proceed with all current contracts and new grant applications will be reviewed. BRPC has submitted to EPA Brownfield applications. Other Federal funding for the Section 319 program for water quality improvement is funding for 3 years to the state. BRPC is in year two with the state.

B. Approval to Submit Grant Application to the State Efficiency and Regionalization Grant Program for a Regional Stormwater Program

The Executive Committee was requested to authorize the Executive Director to submit a grant application to the State Efficiency and Regionalization Grant Program and to sign any resulting contracts or agreements. The purpose of this grant would be to assist the communities that have to submit stormwater permit applications to EPA this year. No BRPC match is required, however some local match may be helpful in making the application more competitive.

Nat explained the application is related to communities dealing with the stormwater permitting process. The communities involved are Lenox, Richmond, Dalton, Pittsfield, Cheshire, Hinsdale, Lanesborough, Adams and North Adams. This is state money. There is in-kind match. Dalton pays BRPC directly for work and other towns have match from their DPW. The grant application was submitted on January 31, 2017.

Jamie Mullen moved to approve after the fact the Executive Director to submit an Efficiency & Regionalization grant application Program for Regional Stormwater Program on behalf of the Commission; seconded by Chuck Ogden. Unanimously approved.

VIII. Executive Director's Report

A. Report on New Contracts/Agreements

B. District Local Technical Assistance-2017 – Requested Projects

Marianne reported the advance payment should be received by next week.

Nat explained the attached list of 24 applications received will be reviewed to determine if there are other sources of money available from other grants. Each application A rough budget will be done for each application. At the next Executive meeting the projects awarded will be announced. Typically, BRPC holds back a percentage of the money for unexpected topics that may arise later in the year. We usually support 12-15 projects. Jamie noticed the increase in Open Space and Recreation and Master Plan requests. Some of the requests are continued efforts for this year. Many grant applications require Open Space and Recreation and Master Plans to be competitive.

C. Efficiency & Regionalization Grant Applications Open for Second Round –due February 1

D. Follow-up to Workshop on Local Regulation of Legalized Marijuana

E. Additional Funding for Berkshire Opioid Abuse Prevention Task Force

F. Proposed Act Protecting Municipal Authority Relative to Airports (SD 455)

The Commission heard a presentation and discussed at its June meeting the issues that had been raised in the Hanlon v. Sheffield case where the court ruled that because Sheffield had not received approval from the Massachusetts Aeronautics Commission to prohibit or regulate air fields, a private citizen was allowed to have a private airstrip. This case has statewide implications and Senator Tarr has filed a bill (no bill number yet but Senate Docket #455) to modify the law to make it clear that municipalities can regulate private air strips and heliports. A copy of the bill is attached.

Nat explained the act is to clean-up the Hanlon vs. Sheffield court decision. Any time air use is mentioned, the reply from the AG's office is you must get approval from the Massachusetts Aeronautics Commission first before changes are approved.

G. District Local Technical Assistance in Governor's FY2018 Budget for \$2.8 Million

We are very pleased that Governor Baker's proposed budget for FY 2018 fully funds the DLTA program at \$2.8 million. In the same budget line item (1599-0026), the Efficiency & Regionalization Grants and the Community Compact Program are each proposed for \$2.0 million in funding. Since these three programs are mutually supporting, it would be beneficial to see that the House and Senate fund them all as they consider the budget over the coming several months.

Nat reported this is very good news. Last year in the initial budget the DLTA program was proposed for \$2 million which was a decrease. This year the Governor has budgeted the DLTA program with level funding of \$2.8 million. BRPC will encourage all items in this line item to be supported by the House and Senate.

H. Other – New hire Lisa Provencher

Lisa will be a part-time Program Associate helping with Community Development and CDGB programs. Her primary job responsibilities will be to assist Pat Mullins with the administrative aspects of the CDBG program.

IX. Old Business - None

X. New Business

A. March BRPC Meeting

At this point, we have several items for the March 16th Commission meeting:

- **Presentation on the Massachusetts Freight Plan**
A MassDOT representative has been invited to speak.
Nat reported Unistress has been added to the State's Freight Advisory Council.
- **Update on Progress on the Last-Mile Broadband Project**
Bill Ennen who works under Jay Ash will give the Commission an update. This is a very controversial topic. Cable as the answer for underserved communities vs. Fiber is only one issue. Nat reported there has been no response to the letter the Commission sent to the Governor on Broadband.
- **Consideration of Comments on the FY 2018 Budget** – Nat suggested a letter be written for various important aspects of the proposed state budget. Examples would be DCR is essential to the need for our Economic growth, Chapter 90 and small bridges budget increases are needed. Everyone agreed a letter would be good.

XI. Adjournment

Chuck Ogden moved to adjourn the meeting which was seconded by Sheila Irvin. The meeting was adjourned at 5:15 p.m.

Materials distributed or presented during this meeting:

Agenda

Minutes

Check Registers

Aged Receivables

Executive Director's Memo

Technical Assistance Report

New Grants Received 1/6/2017 to 2/2/2017

DLTA Submitted Projects - 2017

SD 455 – An Act Protecting Municipal Authority Relative to Airports

Lisa Provencher Resume
Baker-Polito Administration Announces \$8.8 Million in Local Grant and Community Compact
Funding