

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, August 3, 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: 4:00 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
Marie Raftery, Regional Issues Committee Chair
Rene Wood, Commission Development Committee Chair
John Duval, At Large
Roger Bolton, At Large
Sam Haupt, At Large

A quorum is present.

Others Present: Sarah Hudson, Tyringham Alternate

Staff Present: Nat Karns, Executive Director
Marianne Sniezek, Office Manager

II. Approval of Minutes of Executive Committee Meeting of June 1, 2017

Chuck Ogden moved to approve with modifications; seconded by Rene Wood. Unanimously approved.

III. Organization of 2017-2018 Executive Committee and Commission

A. Executive Committee & BRPC Meeting Dates/Times for FY 2018

All agreed to the dates and times for FY 2018

B. Appointment of BRPC Policy Representatives

Commission Representatives to Related Groups:

Westfield River Wild and Scenic Advisory Committee – Representative: Marie Raftery (Stockbridge)

Berkshire Metropolitan Planning Organization – Representative: Chair Kyle Hanlon (North Adams); Alternate: Sam Haupt (Peru); second Alternate: Jack Hickey (Lanesborough)

Berkshire Brownfields Committee – Jack Hickey (Lanesborough)

Berkshire Comprehensive Economic Development Strategy Committee – Roger Bolton (Williamstown)

Sustainable Berkshires Plan Consortium – Representative: James Mullen (New Marlborough); Alternate: Roger Bolton (Williamstown)

Mohawk Trail Woodlands Partnership Project Advisory Committee – Representative: Kyle Hanlon (North Adams)

Rene Wood moved to approve BRPC Policy Representatives for FY 2018; seconded by Marie Raftery. Unanimously approved.

C. Committee Membership for FY 2018 – Working List

Kyle is working on the Committee Chairs.

D. Other - none

IV. Financial Reports

A. June Expenditure Report

Everyone reviewed the completed expenditure list for June.

B. July Expenditure Report

Everyone reviewed the completed expenditure list for July.

Sam Haupt moved to approve the June and July Expenditures as presented; seconded by Sheila Irvin. Unanimously approved

C. Accounts Receivable Report

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

Nat reported Jennifer Kimball is following up on the invoice from Peru for inspectional services.

D. Unaudited Year-End Financial Results for BRPC and Berkshires Tomorrow, Inc.

We are very pleased to report that we ended FY 2017 with a surplus of \$16,959.17 (before the Post Employment Benefit entry). Our goal was a \$15,000 surplus. We have been consistently trying to rebuild the fund balance to a more reasonable level so this is welcome news. We also managed to have a low overhead rate of 141.232% which is a reduction from FY 2016's 149.86%. An additional \$45,000 was put into our Retiree Health Insurance Trust Fund, bringing the total in the fund to \$345,547. Our total obligation is estimated to be \$1,844,275 so we are now 18.7% funded. We will continue to strive to add each year and reduce the unfunded amount.

We also had a good year with Berkshires Tomorrow financially and the benefit of having a closely related non-profit is proving itself. We had a total income of \$177,188 (primarily from the Tufts Foundation for Age-Friendly Berkshires work). Expenses were \$172,606, including costs like the annual audit and the time Marianne and Linda put into the necessary financial and reporting work, so BTI had a net income of \$4,582.

Nat reported the agency used our Line of Credit only a few times and immediately paid the money back.

Marianne reported the overhead rate was lower. Nat commented this is due to having a full staff and having the Public Health staff in house. The lower overhead allows for more time to be spent on projects.

Nat reported our non-profit Berkshires Tomorrow has been useful in obtaining money from foundations. Last year, Berkshires Tomorrow did receive a thousand-dollar donation from Guardian. The funds must be used for planning education purposes only.

E. Status of Receipt of Community Assessments for FY 2018

We have received the FY 2018 assessments from 13 of 32 municipalities to-date. We will send out reminders early in September to the communities who have not paid at that point. We sincerely appreciate the prompt payment by the 13 communities.

F. Status of Discussions by Regional Planning Agencies and State Retirement Board

A Working Group meeting is scheduled for August 15th to discuss the issues. Attending the meeting will be people from the Office of Administration and Finance, the Executive Director of the State Retirement Board and the Regional Planning Agencies that are within the State Retirement Board as independent entities.

Nat explained out of the thirteen RPA's, three are not in the State Retirement System and three are out of the direct line of fire; MAPC is a state agency, BRPC and FRCOG entered into the State Retirement System under special legislation. The other seven RPA's have received assessment bills for the past few years for the gap between what the employees are contributing and the liability owed. The State Retirement Board did not pay attention to this from 1972 to 2014 or 2015. The State Retirement Board was audited and discovered the state was not billing for the employers' portion. Other organizations involved are Vocational Schools and Educational Collaboratives.

Two of the RPA's argued if they had to pay the current invoices they received they would go bankrupt and their overhead rate would be so high they would not receive any funding. Nat explained some of the current bills received are between \$100,000 to \$200,000. Then there is the large past liability that was never billed from 1972 until the current bills were issued.

BRPC and FRCOG came into the State Retirement System at different times. The fear is the State Retirement Board may ask for a change in the legislation to include BRPC and FRCOG. Even though MAPC is an RPA they are considered a state agency and would not be included.

The case to be presented at the meeting is all the RPA's will go out of business.

G. Other – None

IV. Delegate and Alternate Issues – None

VI. Items Requiring Action

A. Approval to Enter into Agreements with Municipalities for Technical Assistance Services for FY 2018

We request approval for the Executive Director to enter into intergovernmental agreements with our municipalities to provide technical assistance as requested over the course of FY 2018.

Rene Wood moved to approve the Executive Director to enter into intergovernmental agreements with our municipalities to provide technical assistance as requested over the course of FY 2018; seconded by Roger Bolton. Unanimously approved.

B. Approval to Submit Grant Application to Department of Health and Human Services Office of Minority Health for the Empowered Communities for a Healthier Nation Initiative

The Executive Committee is requested to authorize the Executive Director to submit a grant to the Department of Health and Human Services Office of Minority Health for the Empowered Communities for a Healthier Nation Initiative program and to sign any resulting agreements and contracts. The purpose of this 3-Year grant (\$900,000 - \$1,050,000 per 3-year project period) is to support a new initiative entitled the WESTSIDE/MORNINGSIDE EMPOWERMENT PROJECT (WMEP). WMEP will support the development of new community partnerships and evidence-based programming to reduce opioid misuse and overdoses/poisonings in the Westside and Morningside (and the downtown connective corridor) neighborhoods of Pittsfield. The grant deadline is August 1. No BRPC match is required.

Rene Wood moved to approve the Executive Director to submit a grant application to Health and Human Services Office of Minority Health for the Empowered Communities for a Healthier Nation Initiative on behalf of the Commission; seconded by Chuck Ogden. Unanimously approved.

C. Approval to Submit Grant Application to Western Massachusetts Homeland Security Council for Phase II Children in Disasters Project

The Executive Committee is requested to authorize the Executive Director to submit a grant application to the Western Massachusetts Homeland Security Council for Phase II Children in Disasters Project and to sign any resulting agreements and contracts. This is a follow-up to last year's very successful project to investigate best practices on how to manage children who are caught in the midst of a disaster and to insure their safety and facilitate reunification with their family. No BRPC match is required.

Allison Hope will work on Phase II of the project. Nat explained in Phase I Allison presented at a National Conference.

Sheila Irvin moved to approve the Executive Director to submit a grant application to Western Massachusetts Homeland Security Council for Phase II Children in Disasters Project on behalf of the Commission; seconded by Rene Wood. Unanimously approved.

D. Approval to Submit Grant Application to the AARP Community Challenge Grant Program

The Executive Committee is requested to authorize the Executive Director to submit a grant application to the AARP Community Challenge Grant for just under \$10,000 and to sign any resulting agreements and contracts. Grant funds will be used to design and implement an Age Friendly Berkshires recognition program for individuals, municipalities and businesses who have made strides toward a more age friendly Berkshire County. No

BRPC match is required; however, matching funds of \$1,200 have been set aside from the BTI Tufts Health Plan Foundation Grant for a recognition event in October.

Sheila Irvin moved to approve the Executive Director to submit a grant application to AARP Community Challenge Grant on behalf of the Commission; seconded by Rene Wood. Unanimously approved.

E. Other - None

VII. Committee Reports

A. Commission Development Committee

Rene reported the last 5th Thursday presentation on Large Scale Solar was successful. The presenter stayed behind to answer questions and to talk to those in attendance. Rene requested the presentation be posted on BRPC's website.

The next workshop will be at the Lenox Town Hall on August 31st at 6 pm. The topic will be Municipal Actions on Marijuana Legalization.

B. Regional Issues Committee

Marie reported the Committee finished the Land Use letters. The next meeting will be on Wednesday, August 23rd at 4 p.m. The Committee will focus on Short-Term Housing Rental legislation.

C. Other - none

VIII. Executive Director's Report

A. Report on New Contracts/Agreements

B. Status of Filling Vacant Positions

We find ourselves in the very unusual position of filling four positions at this time: Senior Land Use Planner (basically Brian Domina's position), new Transportation Planner, Community Development Program Associate (from vacant half-time to new full-time), and new Planner, focusing on Age-Friendly work. We have been interviewing for the first two positions, just advertised for the third, and may be able to fill the fourth using one of the applicants for the first two. Some of this is due to the departure of Emily Lindsey but most is simply due to our considerable success over the past year in competing for grants and now having more work that needs to get done than we have staff to accomplish reasonably well.

Nat reported we are in the process of filling four full time positions and one subcontractor:

Transportation Planner – second interview
Planner – Age Friendly Berkshires
Community Planner – Land Use and Zoning
Program Associate – CDBG support
Public Health Nurse - Subcontractor

C. Ridership Survey for Berkshire Regional Transit Authority

The BRTA has initiated an on-line ridership survey and we would encourage you to both take it and to see that it is publicized in your community. The survey is available at:

<https://www.surveymonkey.com/r/YYLJ6T9>

D. Nominations for 2017 Charles Kusik Award

Nominations are due for the annual Charles Kusik Award which is to be presented at our 2017 Annual Meeting, scheduled for Thursday, October 19th. Nominations are due no later than September 1st so that the Executive Committee can discuss them at its September meeting. A copy of the nomination form is attached.

Nat reported to date no nominations have been received.

E. 2017 State Ethics Forms

As we have to go through every year under the State Ethics Law, we need new forms submitted for our files from all Delegates and Alternates, Committee members, and staff. Attached is a copy of the Summary of the Law, with the Acknowledgement of Receipt at the end. If you can fill the Acknowledgement form out and bring it with you to the meeting, that would be appreciated.

Please sign forms and return to Marianne.

F. Workshop on Recreational Marijuana for Municipal Officials – August 31st, Lenox Town Hall

We will hold a workshop on the new Recreational Marijuana Law for municipal officials on August 31st at Lenox Town Hall from 6 to 8 pm. The Presenter will be Attorney Raymond Miyares. The workshop will be videotaped.

G. BRPC Annual Meeting – Thursday, October 19th, Pittsfield Country Club

The Annual Meeting of the Berkshire Regional Planning Commission will be held on the evening of Thursday, October 19th and will be held at the Pittsfield Country Club. We will get invitations out in mid-September. If you would like to make sure you receive one, contact Office Assistant Shannon Zaleski at szaleski@berkshireplanning.org or by calling 442-1521, ext. 10. Get this on your calendar!

Kyle has invited Thomas Kerns to be the speaker.

H. Other – none

XI. Old Business

A. Status of Search for New Executive Director

Sheila announced the search committee:

Kyle Hanlon
Sheila Irvin
Rene Wood
Lauren Gaherty, BRPC Staff
Ellen Kennedy, Berkshire Community College President

The committee is waiting on a projected exit time from Nat and then the committee can begin a timeline.

B. Other - none

X. New Business

A. September 28th BRPC Meeting

In order to avoid the large 3rd Thursday event on our normal meeting date, **please note that this meeting is to September 28th!** We don't have any required items on the agenda for this meeting but might include an orientation for new delegates and alternates. Nat could give a presentation of data that was developed for the Rural Policy Advisory Commission and present their 2017 Annual Report which outlines their initial year's work and sets a course for the next year. Representative Pignatelli had a request for MassDOT to study a new interchange on the MassPike between Lee and Westfield included in the State budget which was approved so we might ask him to meet to discuss this request. We could review some or all of the 70 +/- projects we are involved in at this time.

Rene suggested the September topic should be something to get everyone talking. At the September meeting we will have new members and the topic should be exciting.

Nat suggested the Rural Policy Data Presentation that is very graphic. The data will generate questions and comments. The data shows Southern Berkshire County having more elderly then the rest of the Berkshires. Another example is the Volunteer Fire Departments have a shortage of volunteers. Chronic problems in small towns is part of this data.

B. Orientation for New Delegates and Alternates

We can continue to hold an orientation session for new (and old) delegates and alternates either a part of the regular meeting or provide some food and hold it immediately before the September meeting, perhaps starting at 5:30 or 6 p.m.

Nat asked if the orientation should be a separate session before the commission meeting or part of the regular meeting? In the past, we had about 6 or 7 people attend orientation prior to the meeting. Others liked the orientation during the meeting as a refresher.

Rene asked about staff pictures. Due to privacy issues some staff would not like individual pictures. Other ideas suggested was the staff meet members or a group picture at the Annual Dinner.

C. Scheduling Executive Director's Annual Performance Review

Chuck moved to forgo the evaluation; seconded by Sam Haupt.

There was a discussion on the effects on Nat's retirement if no evaluation was done. Rene commented a pay increase instead of additional vacation time that would affect Nat's retirement. The following actions were suggested for legal counsel to advise if the Executive Committee could approve an increase without an evaluation. Nat explained he did receive a Cost of Living increase and would check with legal counsel and the retirement board. Nat would prefer to retire December 31st but that is not a good time for the agency. Nat would prefer to take a month off and then work full time. Nat commented he could do a short two-page self-evaluation.

After the discussion Chuck withdrew the motion with the caveat he could re-introduce the motion at the next meeting; Sam Haupt agreed to the withdrawal.

D. Other - none

XI. Adjournment

Chuck Ogden moved to adjourn the meeting which was seconded by Sam Haupt.
The meeting was adjourned at 5:10 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

New Grants received 6/1/2017 to 8/3/2017

Nomination Form for Charles Kusik Award

Summary of the Conflict of Interest Law for Municipal Employees

Municipal Actions on Marijuana Legalization Flyer