

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, September 7, 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
Jamie Mullen, Regional Issues Committee Chair
Roger Bolton, Environmental Committee Chair
John Duval, At Large
Sam Haupt, At Large

A quorum is present.

Others Present: None

Staff Present: Thomas Matuszko, Assistant Director
Marianne Sniezek, Office Manager

II. Approval of Minutes of Executive Committee Meeting of August 3, 2017

Chuck Ogden moved to approve; seconded by Sam Haupt. Unanimously approved.

III. Financial Reports

A. August Expenditure Report

Everyone reviewed the completed expenditure list for August.

Jamie Mullen moved to approve the August Expenditures as presented; seconded by Chuck Ogden. 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. Status of Receipt of Community Assessments for FY 2018

Marianne reported we sent out reminders at the end of August. We are starting to see payments coming in from that reminder. We have 6 communities that have not paid, Adams, Alford, Clarksburg, Hancock, Otis and Sandisfield.

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

Tom recapped as we reported before seven other RPA's have received large bills for their portion to the retirement system. BRPC has not received any bills because we entered via special legislation. The RPAs have been meeting with the State Retirement Board and the Executive Office for Administration and Finance. It looks like we will be dragged into this at some point in the future but not for any past liability. Tom explained the Vo-tech Schools and Educational Collaboratives have agreed to pay 5.5% of total payroll for their employer portion to the State Retirement Board. BRPC did a calculation to estimate of 5.5% of our payroll would result in about a \$60,000 bill that would increase our overhead by 10%.

The seven RPA's would like not to pay past or future money and get special legislation. If the seven RPA's had to pay the past liability they would go out of business. The feeling is the Executive Office for Administration and Finance is looking for a negotiation and not legislation to resolve the issue.

There is a MARPA Directors meeting on September 15th to discuss a proposal to present for negotiation. The idea would be a percentage of payroll going forward and not paying any past liability for the seven RPA's. This cannot linger on because there is an audit finding for bills not being done since 1972. The retirement board has indicated that BRPC and FRCOG would be pulled in for the future employer's portion of retirement. For BRPC and FRCOG to be involved legislation would have to be changed. MAPC is currently not involved. The thought of involving MAPC in a legislation change would give the RPA's additional clout to not involve the RPA's at all.

Marianne commented the RPA's stressed at the meeting she attended the RPA's financial constraints. Assessments are capped at 2.5% increase and MassDOT's cap on overhead is 155%.

We will keep the committee posted on the continuing discussions.

E. Other –

Due to Grantors on the Balance Sheet Reduction for FY17 and FY18

Marianne reported the difference between MassDOT's approved rate from the prior years audited financials and the actual overhead rate causes BRPC to owe MassDOT or MassDOT owing BRPC.

BRPC sent MassDOT a letter requesting the disposal of one project's records from 2006. MassDOT approved the disposal, per our accountant BRPC reduced the Due to Grantor amount for the one project. In FY2018, BRPC will request to dispose of the records for all projects older than 7 years old. The potential improvement in BRPC's balance sheet could be approximately \$74,000.

IV. Environmental Review – Notice of Project Change: Daley Development (Lee)

We are reviewing a Notice of Project Change for the Daley Development in Lee. This is a solid waste transfer station on Rte. 102 that we originally reviewed in August 2011. Staff gathered information and drafted a comment letter.

There will be an Environmental Review Committee meeting on Monday September 11th. A site visit has not been arranged by the MEPA office. The comments are due to MEPA no later than September 12th.

Roger Bolton moved to allow the Environmental Review Committee to finalize the comment letter and submit it to the Secretary of Executive Office of Energy and Environmental Affairs; Sheila Irvin seconded. Unanimously approved

V. Delegate and Alternate Issues – None

VI. Items Requiring Action

A. Approval to Submit Grant Application to Department of Protection for MS4 (Stormwater) Grant

The Executive Committee is requested to authorize the Executive Director to submit a grant application to the Department of Environmental Protection to provide assistance to our municipalities who must comply with the new MS4 municipal stormwater permitting requirements and to sign any resulting agreements and contracts. No BRPC match is required.

Tom explained this is a new program to work with communities effected to provide mapping of the infrastructure. We are requesting about \$50,000.

Sam Haupt moved to approve the Executive Director to submit a grant application to Department of Environmental Protection for MS4 (Stormwater) on behalf of the Commission; seconded by Chuck Ogden. Unanimously approved.

B. Other - None

VII. Committee Reports

A. Regional Issues Committee

Jamie reported the next meeting will be October 4th. The topic is Short-Term Housing Rentals and we expect to generate language for municipalities on regulations and land use impacts. Sheila commented on taxes on AirBnB and Bed & Breakfast is also part of the discussion. Jamie invited others to the meeting.

B. Other - none

VIII. Executive Director's Report

A. Report on New Contracts/Agreements

Attached is a list of new contracts and agreements entered into and two which were not approved since the August 3rd Executive Committee meeting.

B. Hiring of New Senior Land Use Planner

We are very pleased to report that we have hired a new Senior Land Use Planner, Christopher Gruba. Chris will be joining us in mid-September and comes from Michigan. He has about eleven years of land use planning experience in Michigan, Florida and Nevada. We expect he will be able to fill the void we have had since Brian Domina left in not having a planner devoted primarily to land use regulations and planning. A copy of Chris's resume is attached.

Tom explained Chris will be working on zoning and bylaws.

C. Status of Filling Other Open Positions

Tom and Marianne reported the following new staff to be hired and a Subcontractor:

Margaret McDonough – Planner will start September 11th.

Heather DeMarsico – Community Development Program Associate will start September 18th.

The Transportation Planner position is in its final stages of interviews and an offer will be done tomorrow.

Elizabeth Maschmeyer – has been hired as a Public Health Nurse Contractor

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

E. Implementing Best Practices: A Statewide Conference for Municipal Officials and Staff – September 18th, College of the Holy Cross, Worcester

The annual statewide conference on municipal best practices and regionalization is scheduled for Monday, September 18th at the College of the Holy Cross in Worcester. We have not yet seen a final program but it appears to be packed with helpful sessions based on the draft we have seen.

F. 2017 Moving Together Conference – September 28th, Boston Park Plaza Hotel

Attached is the program MassDOT's Moving Together Conference scheduled for Thursday, September 28th at the Boston Park Plaza Hotel. Further conference information is available at: <http://www.umasstransportationcenter.org/assnfe/ev.asp?ID=2778>.

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

Tom reported save the date emails have gone out. Kyle reported he was unable to secure Thomas Krens as speaker. After a discussion, the second choice was a presentation about current mill redevelopment efforts ongoing across the county. The following could be on a panel:

- Sal Perry – Greylock Works – North Adams
- Steve Sears – Former Crane Stationary Mill - Dalton
- Jeff Cohen – Eagle Mill – Lee

Each would be asked to present for 10 – 12 minutes about their project with the intent to show that re-development and moving forward is in fact happening. There was a request to have plans, graphics available for review before the meeting.

If none of these folks are willing, then Mayor Linda Tyer would be asked to present about the Pittsfield "Renaissance"

H. Other - None

IX. Old Business

A. Committee Membership for FY 2018

We appear to be getting to closure on committee membership for this year (Committee membership list attached). We could use at least one additional member on the Commission Development Committee. We think it would also be advisable to try to actively

recruit new committee members from amongst the delegates and alternates for any of the committees.

B. September 28th BRPC Meeting & Orientation for New Delegates and Alternates

We have ten new delegates or alternates and have polled them to determine if they would prefer to meet for 45 minutes before the Commission meeting with some light “dinner” (wraps/salad) or have some orientation as an initial part of the 7 p.m. meeting. Hopefully we will get some feel for their preference in the next few days

The Orientation will be at 6pm before the Commission meeting. Anyone who would like to attend the training are welcome to share their insights with new members.

A presentation and discussion of the data developed for the Massachusetts Rural Policy Advisory Commission and probably their 2017 Annual Report which is waiting on final approval to be released can be presented. We have routine business to approve the Chair’s appointments of Committee Chairs and At-Large Executive Committee members for FY 2018. The executive committee agreed Nat should present the Rural Policy Annual Report.

Tom suggested the Community Compacts. This is the 3rd year for this program and Nat and Tom believed the Best Practices (attached) would be good to review with the commission members. All agreed this should be a topic at the September 28th meeting.

We could invite Rep. Pignatelli to discuss the study of a new interchange on the MassPike between Lee and Westfield which he successfully had included in the FY 2018 State budget. After a discussion, all agreed not to discuss this at the Commission meeting.

C. Scheduling Executive Director’s Annual Performance Review

Nat’s annual performance review will be part of the Executive Committee’s October 5th meeting. A short self-evaluation beforehand will be provided beforehand.

D. Status of Search for New Executive Director

Sheila reported they have a search committee, job description and a budget. Sheila will be setting up a meeting.

E. Other – None

X. New Business

A. Nominations Received for 2017 Charles Kusik Award

Tom handed out another nomination. After a discussion, a motion was made.

Chuck Ogden moved to nominate Bobbi Orsi for the 2017 Kusik Award; seconded by Jamie Mullen. Unanimously approved.

B. Surplus Equipment Offered to Towns and Cities

Per our established policy, we have offered the attached list of computers and office furniture which is no longer of use to our towns and cities. The folding tables and chairs had been stored in a vacant office in the building which the new building owners are going to use and we don’t have storage space for them, plus we haven’t used them in quite some time.

Marianne reported the tables and chair have been taken. The computers will be offered to staff next week.

C. **Other** - None

XI. Adjournment

Jamie Mullen moved to adjourn the meeting which was seconded by Chuck Ogden. The meeting was adjourned at 4:55 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 8/3/2017 to 9/7/2017

Municipal Actions on Marijuana Legalization Workshop

The 2017 MassDOT Moving Together Conference

BRPC Committee Membership for FY 2018

Nomination Form for Charles Kusik Award

List of Surplus Computers, Tables and Chairs

Christopher Gruba Resume

Margaret McDonough Resume

Heather DeMarsico Resume

Draft Daley Development Waste Letter

Community Compact Cabinet Program