

BERKSHIRE REGIONAL PLANNING COMMISSION
1 FENN STREET, SUITE 201, PITTSFIELD, MASSACHUSETTS 01201
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Massachusetts Relay Service: TTY: 771 or 1-800-439-2370
www.berkshireplanning.org

SHEILA IRVIN, Chair
KYLE HANLON, Vice-Chair
MARILYN WILEY, Clerk
CHARLES P. OGDEN, Treasurer

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

*** Revised * AGENDA**

Rest of River Municipal Committee
Monday, November 18, 2013 -- 11:00 a.m.
Stockbridge Town Offices

1. Introductions
2. Review of notes of September 30, 2013 meeting
3. Briefing & Discussion with Attny. Pawa
4. Legal counsel confidentiality
5. Negotiating Subcommittee
6. District Local Technical Assistance 2014
7. Other Business
8. Adjournment

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Meeting Minutes
Rest of River Municipal Committee
November 18, 2013 @ Stockbridge Town Offices

The meeting opened at 11:03 am

1. Introductions

Attending the meeting were the following Committee members:

Daniel Bianchi, Pittsfield Mayor
Pat Carlino, Lee Select Board
Doug Clark, Pittsfield Community Development Dir.
Lauren Gaherty, BRPC
Nat Karns, BRPC
Jim McGrath, Pittsfield Park, Open Space, and Nat. Res. Program Manager
Bob Nason, Lee Town Manager
Jennifer Tabakin, Great Barrington Town Manager
Jeff Vincent, Lenox Special Projects Manager
Rene Wood, Sheffield Select Board

Also attending:

Benjamin Krass, Attny, Pawa Law Group, P.C.
Matthew Pawa, Pawa Law Group, P.C.

2. Review of Meeting Notes of 9-30-13

Motion to accept meeting notes as amended by Rene Wood; seconded by Jeff Vincent. Approved unanimously as written.

3. Briefing & Discussion with Attny. Pawa / Legal counsel confidentiality

At 11:16 am, the Committee went into Executive Session.

4. Negotiating Subcommittee

At 12:41 pm the Committee came out of Executive Session. The Committee discussed establishing a subcommittee to accompany the Pawa Law Group to negotiate with GE. Matt suggested a subcommittee of 3 or 4 members, people who would feel comfortable in a negotiating role. Pittsfield, Lenox and Lee were discussed at first, as they will likely be the most impacted by cleanup activities. It was stressed that the individuals chosen need to make the commitment to attend the negotiation meetings. After further discussion it was agreed that all six municipalities will appoint an individual, for a subcommittee of six. A contingent of all six shows commitment and solidarity. BRPC is serving only as

a technical advisor to the Committee, and will not be on the negotiating subcommittee. Motion to establish a negotiating subcommittee of six, with the representatives appointed by each municipality, by Rene Wood; seconded by Pat Carlino. Motion approved unanimously.

5. District Local Technical Assistance (DLTA) 2014

The City of Pittsfield has taken the lead in submitting a DLTA application to the BRPC on behalf of the Committee. In general, if the application were successful, the DLTA grant funding would again pay for BRPC staff time to support the work of the Committee, including fiduciary oversight of the Pawa Law Group. Each of the communities should submit a supporting application, signed by the Select board.

6. Other Business

No other business was discussed.

7. Adjournment

The meeting was adjourned at 12:56 pm.

Meeting materials:

1. Revised Agenda 11-18-13
2. Meeting Notes of September 30, 2013.
3. Copy of Pittsfield DLTA 2014 application



**Berkshire Regional Planning Commission
Request for Technical Assistance
District Local Technical Assistance Program, 2013**

PART 1. APPLICANT INFORMATION

Lead Municipality: Pittsfield Date: 11/21/12

Point of Contact, Lead Municipality, as designated by the governing body (please print):

Name: Mayor Daniel Bianchi

Title: Mayor, City of Pittsfield

Address: City Hall, 70 Allen St., Pittsfield, MA 1201

Telephone: 499-9344 Email: jmcgrath@pittsfieldch.com

Partner Municipalities: (List all partner municipalities, contacts and contact information (e-mail and phone) from those municipalities:

Lenox, Lee, Stockbridge, Great Barrington, Sheffield

PART 2. TYPE OF ASSISTANCE

Please check the type of assistance requested:

- Municipal partnerships
- Planning activities involving Priority Preservation or Priority Development Areas, as identified in local or regional plans.
- Other (briefly describe) _____

PART 3. ASSISTANCE PROPOSAL

Attach a brief (one-page) request summary that responds to the following five topics: Provide a summary for each request if multiple requests are sought. Given the limited availability of funds, it is unlikely that BPRC will be able to support more than one request per lead municipal applicant.

1. **Purpose:** Provide a concise statement of the purpose and type of assistance requested.
2. **Project Background:** Briefly describe how the proposed project fits with other municipal objectives such as community comprehensive plan implementation, economic development, etc. If applicable, please describe any related projects recently completed or currently underway that directly relate to the proposed action. Please also note any planned action or investment that would or could potentially result from the successful completion of the proposed action.
3. **Project Start Date:** Please provide the anticipated date that those involved in the project can begin work.
4. **Project Scope:** List and provide a short description of the major steps and general timeline envisioned to achieve the proposed project.

5. **Anticipated Results:** A description of the specific direct results (products) that are anticipated as an outcome from BRPC's involvement with and completion of the proposed project.
6. **Local Official/Staff Commitment:** A description of which municipal officials / committee / staff would be involved with this effort.

PART 4. APPLICATION SUBMITTAL PROCESS

Applications are due by 5:00 pm **December 14, 2012**. Requests may be sent via e-mail (preferred), mail, or fax to Assistant Director Thomas Matuszko (413-442-1521 ext. 34, tmatuszko@berkshireplanning.org) or Planner Brian Domina (413-442-1521 ext. 14, bdomina@berkshireplanning.org).

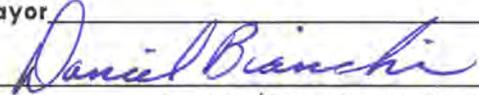
Please note that any awards made under this solicitation are contingent on BRPC receiving sufficient DLTA funds from the Commonwealth of Massachusetts.

PART 5. AUTHORIZED SIGNATURE

Please include the signature of the Chief Elected Official authorizing you to submit this request.

Name Daniel Bianchi Date 11/21/12

Title Mayor

Signature 
(MAYOR/SELECT BOARD CHAIR)

REST OF RIVER COMMUNITIES - TECHNICAL ASSISTANCE REQUEST

1. **Purpose:** Determine the most appropriate structure for a restoration funding mechanism for the communities of Pittsfield, Lenox, Lee, Stockbridge, Great Barrington and Sheffield to offset the community impacts of the Rest of River cleanup.
2. **Project Background:** The Rest of River PCB cleanup effort, at whatever level, will have a major impact on the Berkshire County Rest of River Communities, as we will be forced to endure a massive cleanup effort that will most likely have a negative impact on our local economies. The Communities seek to work together to obtain and utilize funding from GE as part of the restoration effort to offset the economic impact. The fund will be used to re-build our local economies and try to re-coup some of what might be lost as a result of the cleanup efforts. This project will build upon the efforts of two previous DLTA projects, whereby a Rest of River Socioeconomic Impact Study was completed by Skeo Solutions.

3. **Project Scope:**

Task 1: Continued Cooperation

- Maintain and improve the communication and cooperation between Rest of River Communities as the cleanup process moves forward.
- Establish an open and working dialog with state and federal agencies and other stakeholder groups involved in the cleanup process.

Task 2: Municipal Compensation

- Research background on the existing Pittsfield fund – how it has been established and administered.
- Conduct research to identify other remediation projects where restoration compensation mechanisms have been established. Mechanisms include monetary fund and/or community or environmental improvements.
- Analyze the structure of the restoration compensations mechanisms identified as being similar in nature and most appropriate for the Rest of River Communities.
- Consult local stakeholders to provide input on the findings and possible restoration compensation mechanisms to determine the mechanism most appropriate for the region. Anticipated stakeholders include: select boards, town administrators/managers, the business community, municipal economic development committees.
- Recommend the financial structure most advantageous for the Rest of River Communities.
- Engage state and federal agencies and officials and GE in initial discussions regarding the establishment of a monetary fund and/or community improvements.
- Deliverables:
 - Summary report of findings
 - Proposed structure for administering the restoration compensation mechanism
 - List of action steps needed to secure funds and implement administration structure

Task 3: Technical Assistance in reviewing EPA Remedy Proposal

- Provide technical assistance to the Rest of River Communities by reviewing and commenting on the EPA Remedy Proposal, which is expected to be issued in winter/spring 2013.
- Deliverables:
 - Rest of River Communities comment to the EPA.

4. **Anticipated Results:** See Deliverables listed above.

5. **Local Official/Staff Commitment:** The City of Pittsfield is submitting the application on behalf of the six Rest of River Communities.