

BERKSHIRE REGIONAL PLANNING COMMISSION
1 FENN STREET, SUITE 201, PITTSFIELD, MASSACHUSETTS 01201
TELEPHONE (413) 442-1521 • FAX (413) 442-1523
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

AGENDA

Rest of River Municipal Committee
June 25, 2014 -- 3:00 p.m.
Stockbridge Town Offices – Community Room

1. Introductions
2. Review of minutes of January 30, 2014
3. EPA Remedy Plan – next steps
 - Process for submitting comments to EPA – jointly and individually
 - Comment period and extension
 - Possible legal review by Pawa Firm
 - Hudson River as potential example
4. Budget update
 - Existing budget update
 - Proposed FY15 budget
5. Other Business
6. Adjournment

BERKSHIRE REGIONAL PLANNING COMMISSION
1 FENN STREET, SUITE 201, PITTSFIELD, MASSACHUSETTS 01201
TELEPHONE (413) 442-1521 · FAX (413) 442-1523

Massachusetts Relay Service: TTY: 771 or 1-800-439-2370

www.berkshireplanning.org

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

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

Meeting Minutes
Rest of River Municipal Committee
June 25, 2014 @ Stockbridge Town Offices

1. Introductions. The meeting opened at 3:07 p.m.

Attending the session were the following Committee members:

Warren Archey, Lenox Select Board
Daniel Bianchi, Pittsfield Mayor
Pat Carlino, Lee Select Board
Doug Clark, Pittsfield Community Development Dir.
Lauren Gaherty, BRPC
Nat Karns, BRPC
Chris Ketchen, Lenox Town Manager
Jim McGrath, Pittsfield Park, Open Space, and Nat. Res. Program Manager
Jennifer Tabakin, Great Barrington Town Manager
Rene Wood, Sheffield Select Board

Also attending:

Andy McKeever, iBerkshires

Town of Lenox has two new representatives: Selectman Warren Archey replaces John McNinch and Town Manager Chris Ketchen replaces Jeff Vincent.

2. Review of minutes of Jan. 30, 2014. Motion to accept meeting minutes as presented by Rene Wood and seconded by Doug Clark. Approved unanimously as presented.

3. EPA Remedy Plan – next steps. The EPA presented its Remedy Plan to the public on June 18th. Pat Carlino said she was not altogether disappointed at the proposed plan, although she realizes that a lot of the details for cleanup are not yet known. Also that the EPA has no authority to impose economic damages on GE, and that the communities will need to pursue these on their own, with the backing of the state and federal delegation. Mayor Bianchi agreed with that understanding. She also got the impression that GE would be required to repair damaged roads. Rene said that she believed that Tim Conway of the EPA said that he would be willing to work with the municipalities to see that what could be done in this matter. He was noncommittal, but indicated support for the municipalities. Rene is still unsure if economic damages might be pursued during the cleanup,

because the cleanup will be done under CERCLA, not RCRA. Doug Clark had talked to Dave King of EPA Region 2 about the Hudson River cleanup, which was conducted under CERCLA. Mr. King indicated that damages might be pursued under CERCLA. Members hope that this change of regulatory framework under which the actual cleanup will be conducted can act in the favor of the municipalities, possibly allowing them to pursue damages under CERCLA. Members agreed this was a question that should be directed to the Pawa Firm.

Pat also stated that she was encouraged to hear again that a local landfill is not part of the Remedy, although she acknowledged that it was not yet set in stone. She also was thinking about staging areas, especially for rail. She wondered who made final decision on where staging areas would be located? She would somehow like to determine how the communities would most effectively be part of this decision – this should be in our comments.

The discussion turned to the issue of the dams and their impoundments. Pat noted that Lee has 3 out of the 4 impoundments mentioned in the Remedy. Nat is concerned that any work that might need to be done on a dam or impoundment could not be done in a timely way. He pointed to the length of time taken to cleanup Silver Lake, which is a rather straightforward cleanup job. Any work at Glendale or other dam may need to be done quickly – and it's as if we need the planning done up front to have them ready to go, but that's not what will be done. Jim McGrath noted that they've been working on the Mill Street dam for a decade. Jim wondered if the town should approach the owners of the dams to see if there were any plans for future repair or removal – we could then address these wishes in our comments on the Remedy. Pat replied that three mills were in the process of being sold. Jim advocated for comments addressing the dams as part of the joint municipal comments, especially Onyx Paper, which is the only remaining working mill. Nat agreed, saying the language in the Remedy should be as strong as possible, trying to get planning documents drafted early on in the cleanup process.

The members agreed to send a central set of comments from the Municipal Committee but also send individual comments from each municipality. Some issues may only pertain to one or two municipalities.

4. **Budget update.** At 11:00 a.m.
5. **Other Business.** The next meeting of the Committee was set for Jan. 27, 2014.
6. **Adjournment.** The meeting adjourned at 4:34 pm.

Respectfully submitted,
Lauren Gaherty, Senior Planner, BRPC

