



# BRPC

Berkshire Regional Planning Commission

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## MINUTES OF THE EXECUTIVE COMMITTEE MEETING

Thursday, May 6, 2021

**Virtual Meeting** as allowed by Massachusetts Governor Charlie Baker's Executive Order dated July 16, 2020 suspending certain provision of the Open Meeting Law, G.L. c.30 sec.20.

### I. Call to Order & Open Meeting Law Statement

#### A. The meeting was called to order at: 4:05 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

John Duval, Vice Chair

Sheila Irvin, Clerk

Malcolm Fick, Treasurer

Roger Bolton, Environmental Review Committee Chair

Buck Donovan, Lee Delegate, At-Large

Sam Haupt, Peru Delegate; At-Large

Others Present: Nancy Socha, Stockbridge, Delegate; Al Blake, Alternate, Becket; Fred Shubert, Richmond Alternate; Brittany Polito, iBerkshires

Staff Present: Thomas Matuszko, Executive Director; Marianne Sniezek, Office Manager; Kate Hill Tapia, Office Administrator; Wylie Goodman, Senior Planner Economic Development; Mark Maloy, GIS, Data & IT Program Manager

Tom introduced Wylie Goodman, the Senior Planner for Economic Development, a new position funded by the EDA grant.

#### C. Approval of Minutes of Executive Committee Meeting on April 1, 2021

Sheila Irvin moved to approve the minutes of the April 1, 2021 meeting, which was seconded by Roger Bolton and approved by roll call vote from Roger Bolton, Malcolm Fick, Sheila Irvin, Buck Donovan, Sam Haupt and Kyle Hanlon, John Duval.

### II. Financial Reports

#### A. April Expenditures Report

Tom explained that the Mass Audubon consulting fee is for environmental education for the Greylock Center in Adams.

Roger Bolton motioned to approve the report and Sam Haupt seconded the motion. The report was approved by roll call vote from Roger Bolton, Malcolm Fick, Sheila Irvin, John Duval, Buck Donovan, Sam Haupt and Kyle Hanlon.

**B. Accounts Receivable Report & Assessments**

There are two large outstanding items, one from USDA for Farmers Markets and another with Adams for MVP Mohawk Trail work. John Duval offered to look into the payment from Adams. Tom reported that remote work is dramatically slowing down government employees' ability to process fund distributions.

**C. Line of Credit Report**

The BRPC Line of Credit is still showing a balance of \$125,000. We paid \$442.72 in interest over the last month. We have not yet received payment of \$125,000 for the second payment for the Berkshire Adaptation fund project which was completed by the end of February. Once we receive that payment, we should be able to pay back the line of credit. It was suggested to ask Senator Hinds to follow up since his earmark provided **the** funding.

**D. Other - None**

**III. Delegate & Alternate Issues - None**

**IV. Items Requiring Action**

**A. Approval of Comments to the U.S. Census Bureau Regarding Proposed Changes to the Definition of Urbanized Areas**

BRPC Data Program Manager, Mark Maloy drafted a letter about the U.S. Census Bureau proposed change to the definition of urbanized areas. This could result in Berkshire County losing urbanized area designations. He explained that it is a purely statistical exercise, but it would have unintended consequences. Committee members noted it is a fine letter and agreed they are concerned about consequences if this change goes into effect.

Malcolm Fick moved to approve the Executive Director submit the letter with a modification to the U.S. Census Bureau regarding proposed changes to the definition of urbanized areas. Sheila Irvin seconded the motion. It was approved by roll call vote from Roger Bolton, Malcolm Fick, Sheila Irvin, John Duval, Buck Donovan, Sam Haupt and Kyle Hanlon.

**B. Approval of Changes to BRPC's Personnel Pay Plan**

BRPC's policy requires a comprehensive review of the Commission's salary structure to be performed no less often than every two years to ensure the agency remains competitive in both personnel recruitment and retention. We conducted that review. Generally, most of our positions are within range to

the other regional planning agencies. Program Managers needed to be adjusted. And the intern salary needs an increase to conform to a new minimum wage law. The proposed Personnel Pay Plan shows the new salary ranges for FY 2022 and includes new public health nurse staff positions (explained below).

We just learned that BRPC was awarded a large grant from the Department of Public Health to increase cooperation among communities. The length of the funding depends on the legislature. Some of those funds will be used to hire public health nurses and administrative support. Currently the public health nurses are independent contractors. Per Massachusetts labor laws, you cannot have the same positions filled by contractors and employees, it must be one or the other.

Sheila Irvin moved to approve the changes to BRPC's Personnel Pay Plan. It was seconded by Sam Haupt. The motion was approved by roll call vote from Roger Bolton, Malcolm Fick, Sheila Irvin, John Duval, Buck Donovan, Sam Haupt and Kyle Hanlon.

### **C. Approval of Surplus Inventory**

The Executive Committee needs to approve the list of surplus equipment show on the attached document, Surplus Equipment 2021.04.26. According to our policy, depending on the value and condition of equipment, it is offered to the municipalities, then non-profits, then either advertised for sale or offered to staff. Finally, if there is no interest it is responsibly destroyed.

Malcolm Fick moved to approve the disposal plan for surplus equipment. The motion was seconded by Roger Bolton and was approved by roll call vote from Roger Bolton, Malcolm Fick, Sheila Irvin, John Duval, Buck Donovan, Sam Haupt and Kyle Hanlon.

### **D. Other - None**

## **V. Committee Reports**

### **A. Regional Issues Committee**

The Regional Issues Committee met April 28, 2021. The main agenda item was to review and recommend comments on the proposed changes by the U.S. Census to the Urbanized Area definition. Those comments were discussed under a previous agenda topic. Draft unapproved minutes from the April 28<sup>th</sup> meeting are not yet available. The next meeting is scheduled for May 26, 2021. The proposed main agenda item will be to understand the Census's differential privacy policy, which is a technique used by the Census to insert "noise" into the Census results (basically distort the actual number) to protect individual privacy. Tom is very concerned about the impact of inaccurate counts as so many organizations rely on census numbers. Discussion reported that town managers are also very concerned about this. Al Blake reported that Representative Farley-Bouvier and Senator Hinds will

hold a hearing in June as they sit on the redistricting committee. He will let Tom know so this can be shared with the full commission.

**B. Environmental Review Committee**

The Environmental Review Committee met April 26, 2021. The main agenda item was to prepare comments on the Environmental Notification Form for the Eagle Mill Redevelopment project in Lee. Comments were due April 27, 2021. Since this was prior to the Executive Committee meeting, comments were to be submitted by staff after being approved by the Environmental Review Committee. Minutes of that meeting have not yet been prepared. The comments that were submitted are included.

The committee appreciated Melissa Provencher and Cleve Kus's (BRPC Program Managers for Environmental & Energy and Transportation respectively) great work on the comment letter. It was concerning that at a recent consultation session the Mass DOT staff did not seem concerned about the serious traffic safety issues the project will create. It is hoped they will get involved and offer solutions.

Al Blake asked if the project has considered ground source heat pumps. He recommended that alternative energy sources be suggested as early as possible and offered his assistance. Other big projects like this have missed that opportunity. Tom said that BRPC can see that it is recommended to the developer.

Roger Bolton motioned to approve (after the fact) the comments as prepared and submitted on the Eagle Mill Redevelopment project in Lee. Malcolm Fick seconded, and it passed unanimously by a roll call vote from Roger Bolton, Malcolm Fick, Sheila Irvin, John Duval, Buck Donovan, Sam Haupt and Kyle Hanlon.

**C. Berkshire MPO**

The Berkshire MPO met April 27, 2021. The main agenda items were amendments to the FY 21-25 TIP, authorization to release the FY22-26 TIP, a presentation about the [ArcGIS Story Map about the Berkshire bike path](#), and a preview of the 2022 Unified Planning Work Program (UPWP), a review of the recently awarded EDA grant, a solicitation for input on a survey to assess needs of businesses and non-profits, and a solicitation for input on technical assistance needs of municipalities. Draft minutes are included.

**D. Finance Committee**

The Finance Committee is scheduled to meet after this Executive Committee meeting. The main topic of the meeting will be a review of the proposed FY 22 budget.

**E. Nominating Subcommittee**

The following slate of officers has been proposed and will go before the full commission at the May 20<sup>th</sup> meeting.

Chair – John Duval

Vice Chair – Malcom Fick  
Treasurer – Buck Donovan  
Clerk – Sheila Irvin

## **VI. Executive Director’s Report**

### **A. Report on New Contracts/Agreements**

New Grants and Contracts received / initiated 04/01/2021 to 04/30/2021.

- BARR Foundation – Advance Portrait of a Graduate Action Plan - \$240,000
- Berkshire United Way – Match to EDA COVID-19 Regional Recovery Project - \$150,000
- Franklin County Sheriffs Dept/Office of Juvenile Justice Delinquency Prevention (Opioid) - year 3 – \$67,896.01 of \$106,450
- Stockbridge ADA Self-evaluation and Transition Plan - \$40,000

Grants and Contracts not received.

We are not aware of any grants and contracts not received in this period.

### **B. Berkshires Tomorrow Inc. (BTI) Update**

The following are BTI activities from 4/1/2021 through 4/30/2021:

- The Berkshire Opioid Abuse Prevention Collaborative received a \$5,000 Berkshire County Taconic Foundation James and Robert Hardman Fund grant.

### **C. Staff Update**

- Wylie Goodman has been hired as a Senior Economic Development Planner. Her resume is attached.

### **D. Rural Policy Advisory Commission Update**

The Rural Policy Advisory Commission (RPAC) met on April 9, 2021. The main agenda items were a discussion about the upcoming state budget, potential staffing for an Office of Rural Policy, and a discussion of Municipal governance issues in rural communities.

### **E. U.S. Department of Agriculture New Rural Renewable Energy Pilot Program**

On April 1, 2021, the U.S. Department of Agriculture (USDA) announced it is requesting public input from interested parties to help create a new Rural Renewable Energy Pilot Program. The Consolidated Appropriations Act, 2021 (PL116-260) provided \$10 million to USDA to develop a pilot program that provides financial assistance to rural communities to further develop renewable energy. This request for information sought input to help develop options for the Rural Renewable Energy Pilot Program. Attached is a comment letter submitted by staff.

### **F. West-East Rail Update**

To my knowledge, there has been no activity this month.

### **G. State Budget**

Tom is monitoring the state budget process. DLTA funding is in the Governor’s budget and has passed the House but not through the Senate yet.

## **VII. Old Business**

#### **A. BRPC's Revised Telework Policy**

A revised BRPC Telework Policy was presented and discussed. If trends continue, we expect to be back in the office at full strength August 1, 2021 per the Governor's plan and dependent on health metrics. The question about requiring vaccinations to prevent someone getting sick was raised. There is no plan to require them at this point. It was suggested to monitor what towns are doing.

Roger Bolton moved to approve the BRPC's Revised Telework Policy. It was seconded by Sam Haupt. The motion was approved by roll call vote from Roger Bolton, Malcolm Fick, Sheila Irvin, John Duval, Buck Donovan, Sam Haupt and Kyle Hanlon.

Discussion led to the topic of remote meetings and will BRPC full commission and committee meetings go back to in-person. Noted that before the pandemic people did participate via phone. Having a quorum has always been a concern. How would it work if a quorum would have to be in-person and others can stay remote? The Commission would have to vote to allow remote participation and have it applied to all committees.

#### **B. Office Space**

Proposals for BRPC Office space are due June 1<sup>st</sup>. To date, we have had few inquiries. Our current landlord granted a 2-month extension until November 30, 2021.

#### **C. Other - None**

### **VIII. New Business**

#### **A. Changes to the June Executive Committee Meeting Time**

The committee agreed to change the June 3<sup>rd</sup> start time from 4:00 pm to 5:00 pm. to accommodate Tom's participation as a presenter at leadership training.

#### **B. May Full Commission Meeting (Virtual) – May 20, 2021**

Possible agenda items for the May 20<sup>th</sup> Full Commission meeting.

- Report of the Nominating Committee
- Adoption of the FY 22 budget
- Presentation and approval of required transportation documents
- Census update – differential privacy policy
- Roundtable discussion about town meeting zoning (or other items) outcomes
- Presentation from UMass Donahue Institute staff about the U.S. Census differential privacy policy – it was agreed this would be interesting and helpful to understand it better.

#### **C. Addition of Juneteenth Holiday**

A motion was made by Al Blake and seconded by Sheila Irvin to recommend

to the full Commission at the May 20<sup>th</sup> meeting to establish Juneteenth/June 19 as an additional floating holiday for BRPC stating it is important to recognition this date as the end to one of the last vestiges of slavery. The motion was approved unanimously by roll call vote from Roger Bolton, Malcolm Fick, Sheila Irvin, John Duval, Buck Donovan, Sam Haupt and Kyle Hanlon.

**IX. Adjournment**

The meeting was adjourned at 5:22 pm by a motion made by Sheila Irvin and seconded by Malcolm Fick. It was approved by roll call vote from Roger Bolton, Malcolm Fick, Sheila Irvin, John Duval, Buck Donovan, Sam Haupt and Kyle Hanlon.

Attachments:

- Agenda
- Unapproved Minutes of Executive Committee Meeting of April 1, 2021
- April 2021 Expenditures Report
- April 2021 Accounts Receivables
- Line of Credit Report
- Memo – Executive Director
- Census Urbanized Area Letter
- Personnel Plan FY22
- Surplus Equipment list
- Eagle Mill ENF Comment Letter
- MPO Minutes April 27, 2021 Draft
- Resume – W. Goodman
- Rural Energy Pilot Program Comments
- March 2021 Technical Assistance Memo