



MEETING NOTICE

There will be a meeting of the
EXECUTIVE COMMITTEE
of the
BERKSHIRE REGIONAL PLANNING COMMISSION
Thursday, February 03, 2022 at **4:00 p.m.**

This will be a **Virtual Meeting** as allowed by Ch. 20 of the Acts of 2021 suspending certain provisions of the Open Meeting Law, G.L. c.30 sec.20.

Join Zoom Meeting
<https://us02web.zoom.us/j/3926128831>
Meeting ID: 392 612 8831

Phone: 646.558.8656, 301.715.8592, 312.626.6799, 669.900.9128, 253.215.8782, 346.248.7799

Meeting materials are posted on BRPC's website: www.berkshireplanning.org.
Click on the calendar of events, then the meeting name and follow link to materials.

AGENDA

- I. Call to Order & Open Meeting Law Statement (4:00)
- II. Approval of Minutes of the Executive Committee Meeting of January 6, 2022* (4:05)
- III. Financial Reports (4:10)
 - A. January Expenditures Report *
 - B. Accounts Receivable Report
 - C. Line of Credit Report
 - D. Other
- IV. Delegate & Alternate Issues (4:15)
- V. Items Requiring Action* (4:20)
 - A. Approval of Modified Personnel Pay Plan to Add a New Position
 - B. Approval of Two New Personnel Policies
 - C. Approval to Submit Grant Application to the Efficiency and Regionalization Grant Program within the Division of Local Services
 - D. Other
- VI. Committee Reports (4:30)
 - A. Environmental Review Committee
 - B. Comprehensive Economic Development Strategy Committee

City and Town Clerks: Please post this notice pursuant to M.G.L. Chapter 39, Section 23B

Please Note:

For information regarding postponements or cancellations on the day of a scheduled meeting, please call Berkshire Regional Planning Commission at (413) 442-1521, x5

- C. Commission Development Committee
- D. MPO
- E. Other

- VII. Executive Director's Report (4:40)
 - A. Report on New Contracts / Agreements
 - B. Berkshires Tomorrow Inc. (BTI) Update
 - C. Economic Development District Designation
 - D. Cyber Security Assessment and Training
 - E. Proposed Legislation on Gravel Roads
 - F. Community One-Stop for Growth Grant Portal
 - G. Rural Policy Advisory Commission (RPAC) Update
 - H. District Local Technical Assistance (DLTA)
 - I. COVID-19 Rapid Test Kits
 - J. Other
- VIII. Old Business (4:55)
 - A. Office Space Update
 - B. State Election Candidate Questions
 - C. Other
- IX. New Business (5:05)
 - A. March Commission Meeting
 - B. Other
- X. Adjournment (5:10)

Attachments:

- Unapproved Minutes of the January 6, 2021, Executive Committee Meeting
- January Expenditures Report
- January Receivables Report
- January Line of Credit Report
- Proposed Changes to the Personnel Pay Plan
- Proposed Small Necessities Leave Act Policy
- Proposed Domestic Violence Leave Act Policy
- Draft Unapproved Minutes of the January 10, 2022 meeting of the Environmental Review Committee
- Lenox Valley Waste Transfer Facility ENF MEPA Comments
- Draft Unapproved Minutes of the January 12, 2022 Comprehensive Economic Development Strategy Committee Meeting
- Draft Unapproved Minutes of the January 13, 2022 Commission Development Committee Meeting
- Economic Development District Designation Letter
- Press Release – Economic Development District Designation
- Support letter for H 3411, An Act Relative to Unpaved Roads

* Items Requiring Action



DRAFT EXECUTIVE COMMITTEE MINUTES

Thursday, January 6, 2022

Virtual Meeting as allowed by Ch. 20 of the Acts of 2021 suspending certain provisions 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 4:01 p.m.

Chair John Duval called the virtual meeting to order and stated that 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:

Read by Office Administrator Kate Hill Tapia:

John Duval, Chair, Adams Alternate

Malcolm Fick, Vice Chair, Great Barrington Alternate

Buck Donovan, Treasurer, Lee Delegate (a few minutes late)

Sheila Irvin, Clerk, Pittsfield Delegate

René Wood, Commission Development Chair, Sheffield Alternate

Roger Bolton, Environmental Review Committee Chair, Williamstown Alternate

CJ Hoss, Regional Issues Committee Chair, Pittsfield Alternate

Sam Haupt, Peru Delegate; At-Large

Kyle Hanlon, North Adams Delegate; At-Large

Others Present: Brittany Polito, iBerkshires; Barb Davis-Hassan, Lanesborough Alternate; Roger Lawrence, Williamstown Delegate; Nancy Socha Stockbridge Delegate

Staff Present: Thomas Matuszko, Executive Director; Marianne Sniezek, Office Manager; Kate Hill Tapia, Office Administrator

II. Approval Executive Committee Meeting December 2, 2021 Minutes

René Wood moved to approve the minutes of the December 2, 2021 meeting. The motion was seconded by Sheila Irvin and approved by roll call vote from John Duval, Malcolm Fick, Sam Haupt, Sheila Irvin, CJ Hoss, René Wood, Roger Bolton, and Kyle Hanlon.

III. Financial Reports

A. December Expenditures Report

Many checks were written as stipends for Berkshire County Education Task Force study group participants. Overdose is misspelled, and #15703 needs a more detailed description of the software subscription's use.

René Wood moved to approve the December Expenditures report with the above corrections, and Roger Bolton seconded the motion. The report was approved by roll call vote from John Duval, Malcolm Fick, Buck Donovan, Kyle Hanlon, Sam Haupt, Sheila Irvin, CJ Hoss, René Wood, and Roger Bolton.

B. Accounts Receivable Report & Assessments

Tom confirmed that the \$115 receivables from each town are for participation in the online burn permitting program, a great deal for municipalities.

C. Line of Credit Report

There has been no need to tap the line of credit.

D. Update on Retirement Legislation

Tom reported that this issue has been ongoing since 2014 when the State Retirement Board claimed that regional planning agencies need to pay a portion of state retirement. A bill has been filed to that effect.

Massachusetts Association of Regional Planning Agencies (MARPA) has filed legislation for exemption with no back pay requirement. BRPC is exempt now. The Committee on Public Service is reviewing both bills and seeking a resolution. If not resolved before the end of this session (June), the legislative process will need to start over.

E. Other - none

IV. Delegate & Alternate Issues

James Sullivan, BRPC Delegate and Planning and Select Board member from Hinsdale, died. Members acknowledged that he spoke articulately and forcefully about issues and contributed to BRPC's work for many years. Tom said it is also a great loss for Hinsdale. Tom and John Duval will discuss ways to recognize Jim's passing.

V. Items Requiring Action

A. Approval of Modified Personnel Pay Plan

Approval was requested for a modified personnel pay plan. Effective January 1, 2022, the Massachusetts minimum wage increased from \$13.25 to \$14.25 per hour. The rate increase affects Office Assistant I and the three Intern pay ranges.

René Wood moved to approve the modified personnel pay plan. Malcolm Fick seconded the motion. It was approved by roll call vote from John Duval, Malcolm Fick, Buck Donovan, Kyle Hanlon, Sam Haupt, Sheila Irvin, CJ Hoss, René Wood, and Roger Bolton.

B. Approval to Submit Grant Application to the Massachusetts Office of Travel and Tourism (MOTT)

Approval was requested for the Executive Director to submit a grant application to the FY22 Travel and Tourism Recovery Grant program through the Massachusetts Office of Travel and Tourism and approve any resulting contracts and agreements. This grant application, coordinating a region-wide application (with 1Berkshire) for a Digital Retargeting Campaign, will focus on the key themes of downtown districts (emphasis on shopping & dining), outdoor recreation, and cultural districts. These are current elements of BRPC's Economic Development Program work and tied to economic recovery projects of the Local Rapid Recovery Program and EDA CARES Act scope. The target market of MA, New England, NY, and NJ and into Eastern Canada is focused on ages 25-45, all income levels, with interest in drivable travel involving outdoor rec, food, family, and culture. The amount requested is \$150,000. There is no local match required. Staff lead is Economic Development Program Manager Laura Brennan, lbrennan@berkshireplanning.org.

René Wood moved to approve the submission of a grant application to the FY22 Travel and Tourism Recovery Grant program through the Massachusetts Office of Travel and Tourism and approve any resulting contracts and agreements. Roger Bolton seconded the motion. It was approved by roll call vote from John Duval, Malcolm Fick, Buck Donovan, Kyle Hanlon, Sam Haupt, Sheila Irvin, CJ Hoss, René Wood, and Roger Bolton.

C. Approval of Environmental Notification Form (ENF) comments about the Lenox Valley Waste Transfer Facility, Lenox

An ENF was received for the Lenox Valley Waste Transfer Facility in Lenox. The Environmental Review Committee (ERC) doesn't meet until Monday, January 10, so it has not drafted comments. Comments are due on January 11. A summary from the ENF was distributed with the meeting materials.

ERC Chair, Roger Bolton, confirmed that the facility is a transfer station, not a disposal site. He and Melissa Provencher, Program Manager for BRPC's Environmental and Energy Program, did a virtual site visit today. The facility is requesting a 25% increase in tonnage. They expect more activity from construction waste as a similar facility in Pittsfield is closing. Most of the waste is recycled, and the rest is disposed of via rail cars.

Roger Bolton moved to approve that the Environmental Review Committee submits comments on the Environmental Notification Form (ENF) about the Lenox Valley Waste Transfer Facility. René Wood seconded the motion. It was approved by roll call vote from John Duval, Malcolm Fick, Buck Donovan, Kyle Hanlon, Sam Haupt, Sheila Irvin, CJ Hoss, René Wood, and Roger Bolton.

D. Other - None

VI. Committee Reports

A. Finance Committee

The Finance Committee met on December 9, 2021. Buck Donovan, the committee chair, noted that more processes are in place to avoid bank fraud. The Committee approved the FY2021 BRPC Audit. The Executive Committee praised Marianne and the finance staff for another clean audit with no findings. The auditor was especially impressed, given 130 funding sources. Tom noted BRPC ended the year in a good financial position. A copy of the audit management letter from Adelson & Company, PC was in the packet for this meeting.

The Finance Committee recommends the full Commission approve a 2½% increase for the FY2023 Community Assessments. There has not been an increase for two years. Unapproved draft minutes of the December 9, 2021 meeting were distributed.

B. Brownfields Committee

The Berkshire Brownfields Committee met on December 14, 2021. The main agenda items were to act on a Revolving Loan Fund Application for Hoosic Valley Coal and Grain and get an update on the Powerhouse Square loan. Sheila Irvin, the committee chair, noted that due to accounting actions taken, the lack of Powerhouse Square loan repayment does not affect BRPC's finances. It does reduce the funds available for other projects. Tom reported that the latest proposed settlement payment schedule has BRPC as the last lender to be paid, so repayment is unlikely. An application for more Brownfields funding is pending. BRPC is hopeful it will get approved since the federal infrastructure bill includes a lot of Brownfields money. Draft unapproved minutes have not yet been prepared.

C. Commission Development Committee

René Wood, chair of the Commission Development Committee, reported that they met on December 14, 2021. The main agenda item was to determine educational topics for future Commission meetings. It was agreed that housing should be the featured topic and the full Commission should give input on specific priorities. Project Specialist Chris Skelly and Community Planner Chris Brown are drafting housing-related educational topics. René stated that communities need to know where to start, especially if they do not already have a housing needs assessment or housing production plan. Given the lack of progress on DLTA funding from the state, Tom said BRPC is limited in what services it can offer. Draft unapproved minutes of the meeting were distributed.

D. Metropolitan Planning Organization (MPO)

The MPO did not have a quorum on December 21, 2021. A meeting is planned for January 18. The main agenda topic is to approve a TIP amendment for public comment related to BRTA and their preventive maintenance, operating expenses, bus replacement, and fare collection improvements. Preparation for the next TIP has begun, and requests for input from Select Boards will go out the first week of January.

E. Other - none

VII. Executive Director's Report

A. Report on New Contracts/Agreements

New Grants and Contracts received/initiated 12/01/2021 to 12/31/2021

- Berkshire Public Health Alliance Regional Inspection Program – Richmond - \$12,650
- Berkshire Public Health Alliance Regional Inspection Program – Windsor - \$8,415
- Public Health Institute of Western Massachusetts - Racial Equity Capacity Building - \$10,000
- Cheshire - Stormwater Support - \$10,000

Grants and Contracts not received.

- We are not aware of any grants and contracts not received.

B. Berkshires Tomorrow Inc. (BTI) Update

The Admin staff are providing the accountant data needed for the tax filing.

C. Staff Updates

- Linda Mitchell, RN, was hired as a part-time Public Health Project Specialist (Resume attached)
- Lydia Shulman was hired as the Berkshire Public Health Alliance Shared Services Coordinator (Resume attached)
- Jennifer Kimball, Principal Planner for the Opioid Abuse Prevention Collaborative, resigned
- Emily Kirby, Public Health Planner, resigned
- Lynne Lemanski, Part-time Finance Project Specialist, resigned

D. West – East Passenger Rail

Along with Western Mass elected officials and regional planners, Tom attended a roundtable discussion with Congressman Neal and U.S. Secretary of Labor Martin Walsh on December 13, 2021, at the Springfield Union Station. The meeting focused on the federal Infrastructure Investment and Jobs Act, the importance of the West-East Passenger rail connection, and the opportunity the federal legislation presents.

E. Northern Tier Passenger Rail Study

The Northern Tier Passenger Rail Study Working Group, which Tom is a member of, held its first meeting on December 16, 2021. The study team reviewed the role of the Working Group, was provided with a study overview, and discussed study goals. The meeting presentation and recording are at <https://www.mass.gov/northern-tier-passenger-rail-study>. Also, during the meeting, attendees answered two polling questions about the draft goals for the study. Executive committee members were given the following link to complete the poll or share more about their goals for the study: poll link [here](#). Northern Berkshire community representatives are especially

encouraged to respond. These questions will help inform the study team about the most important goals and guide the alternative development and evaluation processes. The input was requested by Thursday, January 6.

F. Rural Policy Advisory Commission (RPAC) Update

The Rural Policy Advisory Commission met on December 10, 2021. The main agenda items were a presentation about private well contamination and the potential for statewide regulations for private wells, an update from the Massachusetts Healthy Aging Collaborative, and a discussion about RPAC legislative priorities. Public water supplies are already regulated and are defined by those serving 25 or more people. New well regulations would be good for public health and may be costly for homeowners.

G. MicroTransit Survey

Principal Planner Anuja Koirala has been working with a Simon's Rock College Student and Chair of the Regional Transportation Advisory Committee (RTAC) Tate Coleman to conduct a survey of transit use focusing on microtransit, www.berkshiretransitsurvey.com. The 5–7-minute survey asks questions about a proposed shared-ride on-demand service, like Uber or Lyft. This 'call-for-service' would be reasonably priced. BRPC is seeking broad participation. Commission members were asked to share the survey link, especially with people without cars or who cannot drive themselves. (The survey closes January 31.)

H. District Local Technical Assistance (DLTA)

BRPC has not received the DLTA contract for the calendar year 2022. BRPC was told that the contracting agency, the Department of Housing and Community Development (DHCD), is swamped, especially with the ARPA and supplemental budget funding. Tom is not optimistic we will receive the contract any time soon. Hence, he has held off issuing the solicitation. This major inconvenience disrupts the services BRPC can offer Berkshire County communities.

I. Community One Stop for Growth Applications

The Executive Office of Housing and Economic has opened its grant portal, called the Community One Stop for Growth. This portal contains access to several grants offered through EOHED. The first recommended step is to submit an Expression of Interest (a pre-application of sorts) at [Community One Stop for Growth Expression of Interest | Mass.gov](https://www.mass.gov/info-details/community-one-stop-for-growth-expression-of-interest). These Expressions of Interest will be accepted through March 18, 2022, when full applications can be submitted. Tom offered BRPC staff help.

J. COVID-19 Rapid Test Kits

The Baker Administration is making COVID-19 Rapid Test Kits available for purchase by municipalities and other eligible entities. Tom has been exploring the potential of making a bulk purchase through the Berkshire Group Purchasing Program. BRPC is trying to determine interest, demand, and quantities. Please contact Tom, tmatuszko@berkshireplanning.org

immediately if your community is interested. There may be enough interest for one pallet (7500 test kits). A copy of the DLA announcement was distributed.

René pointed out that this is helpful because using COMMBUYS can be difficult for small municipalities, and this way, 30B is already taken care of for the list of vendors. Tom is also trying to confirm if ARPA or FEMA money may be used to pay for the kits.

K. Other - none

VI. Old Business

A. Office Space

Work on the interior of BRPC's new office space has not begun. Difficulties getting labor and materials may continue to delay it.

Due to the Omicron variant of the COVID-19 virus outbreak, Tom has relaxed the requirement that staff work at least two days in the office for at least another few weeks. He also requested that unless employees only spent the holidays with their *immediate* families, they get a negative COVID-19 test before returning to the office.

B. Employee Handbook

Tom thanked Roger Bolton for the suggestion at the last Executive Committee meeting to get legal advice about an employee handbook. BRPC's legal counsel advises that there are pros and cons of creating an employee handbook rather than having separate policies. If a handbook is done correctly and does not have the appearance of a contract with an employee, it generally is a better route to go and one which BRPC plans to pursue. This is not a top priority as the Administrative team is busy.

C. Other - none

VII. New Business

A. Gubernatorial Election

Tom asked for feedback about preparing questions for gubernatorial candidates and possibly inviting them to speak at upcoming meetings. This may present an opportunity to air concerns facing Berkshire County and the western part of the state. Topics such as passenger rail and expansion, Chapter 90 funding, infrastructure funding, etc.

There was agreement that all communities should be asked to submit questions, maybe through select boards. Lieutenant Governor and State Auditor candidates should be included.

Candidates may be invited to meetings of the Commission, Western Mass Selectman's March meeting, and or a 5th Thursday. Virtual meetings can be more accessible since people do not need to travel. It was suggested that

questions be sent in advance and answers collected in writing so BRPC can widely distribute them. Tom will also reach out to 1Berkshire.

The Commission Development Committee will meet before the January 20 full Commission meeting to determine how to best contact communities for input.

B. January Commission Meeting

The following item needs to be on the agenda:

- Approval of the assessment for FY23.

Other agenda items

- At the last meeting, we agreed to have a housing topic as the standing educational topic

Other possible agenda items include:

- Presentation about the Community One Stop for Growth Process

C. Other - none

D. Adjournment

Kyle Hanlon motioned to adjourn the meeting at 5:01 p.m., seconded by Roger Bolton, unanimously approved.

Attachments:

- Unapproved Minutes of the December 2, 2021, Executive Committee Meeting
- - December Expenditures Report
- - December Receivables Report
- - December Line of Credit Report
- - Personnel Pay Plan
- - Lenox Valley Waste Transfer Facility ENF Summary
- - Unapproved Minutes of the December 9, 2021, Finance Committee Meeting
- - FY21 BRPC Audit Management Letter
- - Unapproved Minutes of the December 14, 2021, Commission Development Committee Meeting
- - Resume Linda Mitchell
- - Resume Lydia Shulman
- - DLS Rapid Test Announcement
- - Memo – November 2021 Technical Assistance

BERKSHIRE REGIONAL PLANNING COMMISSION
Check Register
For the Period From December 23, 2021 to January 24, 2022

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Amount	DEPT	DEPARTMENT DESCRIPTION	EXPENSE
EFT	12/27/21	TOTAL ADMIN SVCS	1,416.60	40 ADMIN	Admin	Planning Advisory Services
15821	12/28/21	BLUE 20/20	91.84	40 ADMIN	Admin	Vision Insurance
15822	12/28/21	CATHERINE MCKEEN	5,428.98	638 DESE/REGIONAL21	MA Dept Elem/Sec Education - BCETF	Subcontractor
15822	12/28/21	CATHERINE MCKEEN	763.02	644 BARR/BCETF21	BARR BCETF's 2021 Planning	Subcontractor
15823	12/28/21	MIYARES AND HARRINGTON LLP	2,545.00	40 ADMIN	Admin	Legal Services
15824	12/28/21	TMSOLUTION, INC.	2,700.00	638 DESE/REGIONAL21	MA Dept Elem/Sec Education - BCETF	Subcontractor
15825	12/28/21	WOLTERS KLUWER LEGAL & REGULATORY	595.00	40 ADMIN	Admin	Subcontractor
15826	12/31/21	MARK D. ABRAHAMS	14,607.00	638 DESE/REGIONAL21	MA Dept Elem/Sec Education - BCETF	Subcontractor
15827	12/31/21	SARAH CARLETON	6,720.00	638 DESE/REGIONAL21	MA Dept Elem/Sec Education - BCETF	Subcontractor
15828	12/31/21	HOWARD J EBERWEIN	1,105.83	638 DESE/REGIONAL21	MA Dept Elem/Sec Education - BCETF	Subcontractor
15829	12/31/21	JUSTIN GILMORE	22.74	643 DHCD/LRRP/SME	DHCD - LRRP - Local Rapid Recovery Program SPE Subject Matter Experts	Expense Report
15830	12/31/21	DAVID W. KELLEY	360.00	40 ADMIN	Admin	Cleaning
15830	12/31/21	MARY NASH	1,100.00	638 DESE/REGIONAL21	MA Dept Elem/Sec Education - BCETF	Subcontractor
15831	12/31/21	MARY NASH	2,060.00	645 BARR/POG21	BARR BCETF - Action Plan to Implement Portrait of Graduate	Subcontractor
15832	12/31/21	ROBERT PUTNAM	6,240.00	638 DESE/REGIONAL21	MA Dept Elem/Sec Education - BCETF	Subcontractor
15833	12/31/21	KENNETH M. ROCKE	7,680.00	638 DESE/REGIONAL21	MA Dept Elem/Sec Education - BCETF	Subcontractor
1219V	12/31/21	BARTLETT CONSTRUCTION	-5,050.00	570 SHFNMBOTS/CDBG19	---	Voided
CCARD	1/1/22	AMAZON.COM	25.94	40 ADMIN	Admin	Supplies
15834	1/4/22	MASS STATE BOARD OF RETIREMENT	9,193.00	---	---	Retirement
15836	1/4/22	AAIM TRAINING AND CONSULTING LLC	96.00	40 ADMIN	Admin	Background Checks
15837	1/4/22	BADIE DESIGNS LLC	13,383.80	637 EDA/COVIDRRP	EDA COVID-19 Regional Recovery Project	Subcontractor
15838	1/4/22	BERKSHIRES TOMORROW, INC.	3,600.00	40 ADMIN	Admin	Software Lease
15839	1/4/22	JAMES BURNHAM	200.00	326 BURN PERMITS	On-Line Burn Permits	Services
15840	1/4/22	GWENDOLYN CARIDDI	129.36	631 DAL/CDBG	Dalton Community Development Block Grant	Expense Report
15840	1/4/22	CARA FARRELL	179.00	40 ADMIN	Admin	Expense Report
15841	1/4/22	CARA FARRELL	64.06	627 OUTS/STK	Stockbridge - Outsource Planner	Expense Report
15842	1/4/22	SETH JENKINS	239.68	545 DHCD/DLTA	District Local Technical Assistance	Expense Report
15843	1/4/22	MCKESSON MEDICAL - SURGICAL	1.31	284 BPHN/PHN	Public Health Nursing Program	Vaccine Supplies
15844	1/4/22	MIIA HEALTH BENEFITS TRUST	2,140.07	40 ADMIN	Admin	Dental Insurance
15845	1/4/22	MIIA HEALTH BENEFITS TRUST	48,809.73	40 ADMIN	Admin	Health Insurance
15846	1/4/22	MUTUAL OF OMAHA	598.40	40 ADMIN	Admin	Life: STD; LTD
15847	1/4/22	NEW ENGLAND NEWSPAPERS, INC.	514.16	40 ADMIN	Admin	Job Advertising
15848	1/4/22	CITY OF PITTSFIELD	400.00	40 ADMIN	Admin	Parking
15849	1/4/22	PIP OF SPRINGFIELD INC	7,897.54	637 EDA/COVIDRRP	EDA COVID-19 Regional Recovery Project	Postage
15850	1/4/22	THE COOPER CENTER, LLC	4,647.73	40 ADMIN	Admin	Rent
15851	1/4/22	U.S. POSTAL SERVICE	11,615.15	637 EDA/COVIDRRP	EDA COVID-19 Regional Recovery Project	Postage
15852	1/4/22	TD CARD SERVICES	2,014.40	40 ADMIN	Admin	Credit Card Payment
15853	1/4/22	VALLEY GREEN SHREDDING, LLC	35.00	40 ADMIN	Admin	Recycling
1136	1/6/22	EMERALD LEAD TESTING	361.00	522 CHS/NMB/CDBG18	Cheshire New Marlborough - Community Development Block Grant - CDBG18	Subcontractor
1203	1/6/22	EMERALD LEAD TESTING	550.00	631 DAL/CDBG	Dalton Community Development Block Grant	Subcontractor
15854	1/10/22	1BERKSHIRE	9,414.85	637 EDA/COVIDRRP	EDA COVID-19 Regional Recovery Project	Subcontractor
15855	1/10/22	VALERIE BIRD	172.82	650 DPH/SS	Public Health Excellence for Shared Services grant program	Expense Report
15856	1/10/22	SYKES, COLIN	330.56	650 DPH/SS	Public Health Excellence for Shared Services grant program	Expense Report

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Check #	Date	Payee	Amount	DEPT	DEPARTMENT DESCRIPTION	EXPENSE
15856	1/10/22	HEATHER DESCOTEAU	50.00	659 DPH/LHSCT	DPH Local Health Support covid 19 Contract Tracing	Expense Report
15857	1/10/22	HEATHER DESCOTEAU	20.16	284 BPHN/PHN	Public Health Nursing Program	Expense Report
15858	1/10/22	PAULA E. DOWNER	67.76	284 BPHN/PHN	Public Health Nursing Program	Expense Report
15858	1/10/22	LESLIE DRAGER	471.80	284 BPHN/PHN	Public Health Nursing Program	Expense Report
15859	1/10/22	LESLIE DRAGER	30.00	659 DPH/LHSCT	DPH Local Health Support covid 19 Contract Tracing	Expense Report
15860	1/10/22	EDWARD M. FAHEY	151.78	283 BPHA/INSP	Berkshire Public Health Alliance - Regional Pub	Expense Report
15861	1/10/22	FEDEX	35.17	631 DAL/CDBG	Dalton Community Development Block Grant	Postage
15861	1/10/22	LAURA KITROSS	54.08	650 DPH/SS	Public Health Excellence for Shared Services grant program	Expense Report
15862	1/10/22	LAURA KITROSS	20.16	284 BPHN/PHN	Public Health Nursing Program	Expense Report
15863	1/10/22	STEPHEN MURRAY	2,124.26	585 NBCC/OD2A	Northern Berkshire Community Coalition - Overdose Data to Action	Expense Report
15864	1/10/22	SEEGER WEISS LLP	13,590.75	319 ROR	Rest of River	Legal Services
15865	1/10/22	NANCY SLATTERY	265.14	650 DPH/SS	Public Health Excellence for Shared Services grant program	Expense Report
15866	1/10/22	W.B. MASON COMPANY, INC.	195.26	40 ADMIN	Admin	Supplies
15867	1/10/22	BRENDAN SHERAN	6,200.00	645 BARR/POG21	BARR BCETF - Action Plan to Implement Portrait of Graduate	Subcontractor
CCARD	1/10/22	AMAZON.COM	160.98	284 BPHN/PHN	Public Health Nursing Program	Supplies
CCARD	1/12/22	ZOOM VIDEO COMMUNICATIONS, INC.	40.00	40 ADMIN	Admin	Dues/Subscriptions
CCARD	1/12/22	CODE42	9.99	40 ADMIN	Admin	Computer Software
15868	1/20/22	AMERICAN PLANNING ASSOCIATION	95.00	40 ADMIN	Admin	Subscription - Zoning Practice
15869	1/20/22	BERKSHIRES TOMORROW, INC.	11,331.25	650 DPH/SS	Public Health Excellence for Shared Services grant program	Nursing Services
15870	1/20/22	ROBIN HELFAND	1,050.00	637 EDA/COVIDRRP	EDA COVID-19 Regional Recovery Project	Subcontractor
15871	1/20/22	KATHRYN HEEDER HOCKER	2,475.00	637 EDA/COVIDRRP	EDA COVID-19 Regional Recovery Project	Subcontractor
15872	1/20/22	MACFARLANE OFFICE PRODUCTS, INC.	223.35	40 ADMIN	Admin	Copier
15873	1/20/22	MARPA	1,403.00	010 GENERAL	General	Dues - Advocacy Services
15874	1/20/22	PITNEY BOWES GLOBAL FINANCIAL SERV	83.97	40 ADMIN	Admin	Postage
15875	1/20/22	THE COOPER CENTER, LLC	1,857.87	40 ADMIN	Admin	Utilities
15876	1/20/22	TPX COMMUNICATONS	1,004.44	40 ADMIN	Admin	Telephone
15877	1/20/22	VALLEY GREEN SHREDDING, LLC	70.00	40 ADMIN	Admin	Recycling
15878	1/20/22	W.B. MASON COMPANY, INC.	22.90	40 ADMIN	Admin	Supplies
1205	1/20/22	EMERALD LEAD TESTING	559.00	631 DAL/CDBG	Dalton Community Development Block Grant	Subcontractor
1206	1/20/22	EMERALD LEAD TESTING	450.00	570 SHFNMBOTS/CDBG19	Sheffield New Marlborough Otis CDBG FY19	Subcontractor
1225	1/20/22	EMERALD LEAD TESTING	450.00	631 DAL/CDBG	Dalton Community Development Block Grant	Subcontractor

Total	209,562.64
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BERKSHIRE REGIONAL PLANNING COMMISSION

Aged Receivables

As of Jan 24, 2022

Filter Criteria includes: 1) Includes Drop Shipments. Report order is by ID. Report is pri

Customer ID	Customer	Over 90 days	Amount Due	Notes
283 BHPA/INSP/BKT	TOWN OF BECKET		7,012.50	
283 BHPA/INSP/EGR	TOWN OF EGREMONT		2,818.75	
283 BHPA/INSP/PER	TOWN OF PERU		2,156.50	
284 BHPA/PHN /HAN	TOWN OF HANCOCK		525.00	
284 BHPA/PHN/FLA	TOWN OF FLORIDA		-525.00	
284 BHPA/PHN/LAN	TOWN OF LANESBOROUGH		888.00	
284 BPHA/PHN NAS	TOWN OF NEW ASHFORD		656.25	
284 BPHA/PHN/SND	TOWN OF SANDSFIELD		525.00	
284/BHPN/PHN/ADAMS	TOWN OF ADAMS		992.50	
284/BHPN/PHN/BKT	TOWN OF BECKET		918.75	
284/BHPN/PHN/CHS	TOWN OF CHESHIRE		-1,131.36	
284/BHPN/PHN/NAD	CITY OF NORTH ADAMS		2,481.41	
284/BHPN/PHN/PER	TOWN OF PERU		525.00	
284/BHPN/PHN/PTS	CITY OF PITTSFIELD - BOARD OF HEALTH	1,150.00	1,150.00	L Kittross in contact w/ Pittsfield
284/BHPN/PHN/WMST	TOWN OF WILLIAMSTOWN		1,678.16	
284/BPHN/PHN/BHDC	BERKSHIRE HOUSING DEVELOPMENT CORP	600.00	600.00	Re-sent invoice 1/25/22
284/BPHN/PHN/CLK	TOWN OF CLARKSBURG		731.06	
284/BPHN/PHN/EGR	TOWN OF EGREMONT		560.96	
284/BPHN/PHN/GTB	TOWN OF GREAT BARRINGTON		1,519.35	
284/BPHN/PHN/RIV	RIVER RUN APARTMENTS		200.00	
319/ROR	REST OF RIVER COMMITTEE MEMBERS		9,287.01	
326/BURN/BLN	TOWN OF BLANDFORD		115.00	
326/BURN/CHS	TOWN OF CHESHIRE		115.00	
326/BURN/HAN	TOWN OF HANCOCK		115.00	
326/BURN/OTS	TOWN OF OTIS		115.00	
326/BURN/TOLLAND	TOLLAND VOLUNTEER FIRE DEPT		115.00	
326/BURN/TYR	TOWN OF TYRINGHAM		115.00	
350/BCBOHA	BERKSHIRE COUNTY BOARDS OF HEALTH ASSOC		2,075.78	
466 LAN/SW	TOWN OF LANESBOROUGH	1,008.65	1,509.68	Lanesborough warrant approved to make payment to BRPC - should receive payment soon
483 NAD/ASSESS	CITY OF NORTH ADAMS		2,896.24	
49/OUTS/ADM	ADAMS: OUTSOURCE PLNR(GIS)-OUTS/ADM		633.19	
493 RCH/EP	TOWN OF RICHMOND		97.25	
514 ADM/EP	TOWN OF ADAMS		194.50	

BERKSHIRE REGIONAL PLANNING COMMISSION

Aged Receivables

As of Jan 24, 2022

Filter Criteria includes: 1) Includes Drop Shipments. Report order is by ID. Report is pri

<u>Customer ID</u>	<u>Customer</u>	<u>Over 90 days</u>	<u>Amount Due</u>	<u>Notes</u>
526 BCSO/OPIOID19	BERKSHIRE COUNTY SHERIFFS OFFICE		6,250.00	
560 APALACHEE	APALACHEE, LLC		251.27	
560 EJ PRESCOTT, INC	EJ PRESCOTT, INC.	168.26	168.26	Sent copy of invoice. Will pay. R Slick still in contact.
560 INNOVATIVE	INNOVATIVE MUNICIPAL PRODUCTS		6.06	
560 K-5 CORP	K-5 CORPORATION		990.06	
560 MORTON SALT	MORTON SALT, INC.		4,913.59	
560 ONDRICK	ONDRICK NATURAL EARTH LLC		27.73	
560 REWC LAND MGT	REWC LAND MANAGEMENT		911.06	
561 LEN/EDP	TOWN OF LENOX	9,569.40	9,909.78	L Brennan following up
585 NBCC/OD2A	NBCC		8,821.81	
592 DEP/319REGC	DEPT OF ENVIRONMENTAL PROTECTION		13,781.64	
606 BMC/PTSFA	BOSTON MEDICAL CENTER		5,130.29	
608 ADM/MTWPGG	TOWN OF ADAMS		2,614.32	
616 WMPHA	WESTERN MASS PUBLIC HEALTH ASSOCIATION		2,000.00	
618 LEN/CDBG-CV	TOWN OF LENOX		13,924.64	
622 USDA/FS/MTWPFRC	USDA FORESTRY SERVICE		8,775.06	
625 ADM/MTWPMVPA	TOWN OF WILLIAMSTOWN		7,134.56	
626 WST/MP	TOWN OF WEST STOCKBRIDGE		4,241.70	
630 OTS/MVP	TOWN OF OTIS		2,874.05	
631 DAL/CDBG	TOWN OF DALTON		165,744.84	
637 EDA/COVIDRRP	637 EDA/COVIDRRP		90,523.96	
647 TOWN OF GTB	TOWN OF GREAT BARRINGTON		2,508.71	
651 MAPC/AAR	METROPOLITAN AREA PLANNING COUNCIL		1,396.34	
652 DPH/SORPEC	DEPT OF PUBLIC HEALTH		-3.00	
655 MTW/HM	TOWN OF MT WASHINGTON		3,696.28	
658 CHS/MVP	TOWN OF CHESHIRE		3,211.61	
661 TOWN OF LENOX	TOWN OF LENOX		14,729.35	

Report Total

13,096.31 416,200.45



America's Most Convenient Bank®

Current Balance

\$0.00

Available Credit	\$230,000.00
Amount Due	\$0.00
Payment Due Date	Feb 5, 2022

It appears you don't have any recent activity.

When available, this is where your account activity will display.



MEMORANDUM

TO: Executive Committee, Berkshire Regional Planning Commission
FROM: Thomas Matuszko, Executive Director
DATE: January 30, 2022
SUBJ: Agenda Items – February 3, 2022, Executive Committee Meeting

V. Items Requiring Action

A. Approval of Modified Personnel Pay Plan to Add a New Position

Approval is requested to modify the personnel pay plan to add new position, Assistant Program Manager. When a Program reaches a certain number of staff, it is impossible for one Program Manager to adequately supervise those staff. The position would assist the Program Manager with those responsibilities.

B. Approval of Two New Personnel Policies

Approval is requested to add two new personnel policies, the Massachusetts Small Necessities Leave Act, and the Massachusetts Domestic Violence Leave Act policies. The two policies are required once BRPC employs 50 or more employees.

C. Approval to Submit Grant Application to the Efficiency and Regionalization Grant Program within the Division of Local Services

Approval is requested for the Executive Director to submit a grant application to the Efficiency and Regionalization Grant Program within the Division of Local Services and approve any resulting contracts and agreements. This grant application will assist the towns of Savoy and Windsor, and possible Washington, establish a shared Town Administrator and examine other potential shared service opportunities or shared governance structure. The amount requested is still being determined but will likely be about \$100,000. There is no BRPC match required. Staff lead is Community Planner Cara Farrell, cfarrell@berkshireplanning.org.

D. Other

VI. Committee Reports⁴

A. Environmental Review Committee

The Environmental Review Committee met on January 10, 2022. The main topic was the ENF review of the Lenox Valley Waster Transfer Facility. A copy of the draft unapproved meeting minutes and the comment letter that was submitted to MEPA are included.

B. Comprehensive Economic Development Strategy Committee

The Comprehensive Economic Development Strategy Committee met on January 12, 2022. The main meeting topics were a report on the work being

conducted through the CARES Act funding, including reports on the Benchmarks work, technical assistance to municipalities and businesses, and resiliency planning, a description of the work being conducted by Berkshire Agricultural Ventures, and a description of the CEDS development process that needs to occur this year. Draft unapproved meeting minutes are included.

C. Commission Development Committee

The Commission Development Committee met on January 13, 2022. The main agenda item was to determine educational topics for future Commission meetings, agreeing that housing should be the featured topic. Draft unapproved meeting minutes are included.

D. MPO

The MPO met on January 18, 2022. The main agenda items were approval of a TIP amendment related to BRTA and their preventive maintenance, operating expenses, bus replacement and fare collection improvements, a report about the TIP development process, a presentation on Safety Performance Measure targets and approval to adopt the statewide safety performance measure targets. Draft unapproved meeting minutes are included.

E. Other

VII. Executive Director's Report

A. Report on New Contracts/Agreements

New Grants and Contracts received/initiated 1/01/2022 to 1/26/2022

- Berkshire Public Health Alliance – Hancock - \$1,050
- Williamstown – Housing Needs Assessment - \$15,000
- Adams - Zoning Support for Housing and Housing Choice Designation - \$30,000

Grants and Contracts not received.

- We are not aware of any grants and contracts not received.

B. Berkshires Tomorrow Inc. (BTI) Update

The BTI Board approved an amendment to the agreement with Berkshire Regional Planning Commission to increase the amount for the COVID-19 Pediatric Clinics from \$10,000 to \$11,335.21.

C. Economic Development District Designation

After many years, BRPC's request for designation as an Economic Development District (EDD) has been approved by the Economic Development Administration within the U.S. Department of Commerce. This designation will provide additional resources to conduct economic development planning activities as well as facilitate Berkshire communities access to grant programs offered by the EDA. Economic Development Program Manager Laura Brennan, is the main contact, lbrennan@berkshireplanning.org, and is commended for her efforts shepherding this application through a lengthy and complicated process.

D. Cyber Security Assessment and Training

BRPC applied for and was selected to participate in a Commonwealth of Massachusetts Executive Office of Technology Services & Security cybersecurity awareness training program to improve cybersecurity knowledge. The training is comprised of an assessment, four training sessions, and a follow-up session. These will occur throughout the year. There will also be emails sent to staff throughout the year to test staff's ability to detect phishing.

E. Proposed Legislation on Gravel Roads

I submitted testimony in support of H 3411, An Act Relative to Unpaved Roads at a recent hearing of the Joint Committee on Transportation. This legislation would establish a working group focused on collecting data on unpaved roads across the Commonwealth and evaluating safe and efficient maintenance and improvement practices for dirt and gravel roads

F. Community One Stop for Growth Grant Portal

Following up on my presentation at the Commission meeting, there are informational webinars about the Community One Stop for Growth Grant portal programs as follows:

- Webinar 1: One Stop Overview Webinar – Tuesday, February 1, 10:00 AM - [Register via Zoom](#)
- Webinar 2: One Stop Application Guidance Webinar – Thursday, February 3, 10:00 AM - [Register via Zoom](#)
- Webinar 3: Technology Webinar – Recording to be posted on Tuesday, February 8
- MassDevelopment will also be having an instructional Commonwealth Places webinar in relation to applying as part of the Community One-Stop. Register here: [Commonwealth Places – Community Project Funding | MassDevelopment](#)

G. Rural Policy Advisory Commission (RPAC) Update

The Rural Policy Advisory Commission did not meet in January.

H. District Local Technical Assistance (DLTA)

The DLTA contract finally came from DHCD. However, we still do not have an official Notice to Proceed. The solicitation will go out this week, with responses due March 4th.

I. COVID-19 Rapid Test Kits

Although several communities expressed interest, there was not enough interest to get a good rate for a bulk purchase, (7,500 tests.) In addition, the ComBuys procurement was complicated. It was unlikely we would have received the kits soon enough to influence the Omicron surge. In addition, the increased availability of the tests and the insurance reimbursement reduced the urgency for them.

J. Other

VIII. Old Business

A. Office Space

Work on the interior of our new office space has begun. Some of the more extensive work of replacing the windows along Fenn Street is supposed to be done this week. We are targeting an early March occupancy date

I have continued to relax the requirement that staff must work at least two days in the office as least for a few more weeks. It looks like the Omicron surge is passing and I will continue to re-evaluate my stance. Given that there is some disruption from the office construction, I might wait until most of the construction is complete.

B. State Election Candidate Questions

I am compiling questions that have come in.

C. Other

IX. New Business

A. March Commission Meeting

While we can finalize this at the March Executive Committee meeting, the following item has been suggested:

- Success stories of housing development projects
- Other suggestions

B. Other

PERSONNEL PAY PLAN
Berkshire Regional Planning Commission

Exec C approved 1% COAL on 4.1.2021					Executive Commission Request for Approval 2/3/2022				
			1.00%		Proposed to change Starting Salary	Proposed to change Maximum Salary	Recommended	Recommended	Recommended
SALARY Positions		2022	2022	2022	2022	2022	2022	2022	2022
Position	Qualifications	Starting Salary	Mid-Range	Maximum Salary			Starting Salary	Mid-Range	Maximum Salary
Executive Director (effective 5/24/2018)	MA/MS + 5 years = 11 years	As established by the Commission	As established by the Commission	As established by the Commission	\$0	\$0	As established by the Commission	As established by the Commission	As established by the Commission
Assistant Director	MA/MS + 5 years = 11 years	\$87,464	\$100,039	\$112,615	\$0	\$0	\$87,464	\$100,039	\$112,615
Program Manager II Directly supervise 2+ employees	MA/MS + 5 years = 11 years	\$75,031	\$89,741	\$104,450	\$4,569	\$2,137	\$79,601	\$93,094	\$106,587
Program Manager I Directly supervise <2 employees	MA/MS + 5 years = 11 years	\$65,932	\$77,688	\$89,443	\$6,165	\$7,340	\$72,097	\$84,440	\$96,784
Office Manager	BA/BS + 6 years = 10 years	\$65,932	\$77,688	\$89,443	\$6,165	\$7,340	\$72,097	\$84,440	\$96,784
Assistant Program Manager (Only for Programs with greater than 7 staff)	MA/MS + 4 yrs = 10 years						\$70,780	\$83,111	\$95,441
Principal Planner	MA/MS + 4 yrs = 10 years	\$58,930	\$70,955	\$82,980	\$0.00	\$374	\$58,930	\$71,142	\$83,354
Senior Planner	MA/MS + 2 yrs = 8 years	\$58,697	\$68,805	\$78,913	\$0	\$0	\$58,697	\$68,805	\$78,913
Planner	MA/MS = 6 years	\$49,894	\$56,475	\$63,056	\$0	\$0	\$49,894	\$56,475	\$63,056
Grant & Procurement Specialist	MA/MS = 6 years	\$49,894	\$56,475	\$63,056	\$0	\$0	\$49,894	\$56,475	\$63,056
Housing Specialist	BA/BS + 2 years = 6 years	\$49,894	\$56,475	\$63,056	\$0	\$0	\$49,894	\$56,475	\$63,056

HOURLY Positions		2022	2022	2022	2022	2022	2022	2022	2022
Associate Planner	BA/BS = 4 years	\$21.99	\$25.35	\$28.71	\$0	\$0	\$21.99	\$25.35	\$28.71
Program Associate (Ft)	AA = 2 years	\$17.85	\$20.52	\$23.20	\$0	\$0	\$17.85	\$20.52	\$23.20
Principal Finance Administrator	MA/MS = 4 yrs = 10 years	\$32.37	\$38.98	\$45.59	\$0	\$0.21	\$32.37	\$39.09	\$45.80
Finance Administrator	BA/BS + 2 years = 6 years	\$26.16	\$30.25	\$34.35	\$0	\$0	\$26.16	\$30.25	\$34.35
Finance Office Assistant	BA/BS + 1 years = 5 years	\$24.16	\$27.75	\$31.35	\$0	\$0	\$24.16	\$27.75	\$31.35
Office Administrator	BA/BS = 4 years	\$21.99	\$25.35	\$28.71	\$1.76	\$2.54	\$23.75	\$27.50	\$31.25
Office Assistant II	AA = 2 years + 2 yrs.	\$18.37	\$20.70	\$23.03	\$0	\$0	\$18.37	\$20.70	\$23.03
Office Assistant I - NEW Rate Jan 1 2022	AA = 2 years	\$13.01	\$15.78	\$18.55	\$0.49	\$0.49	\$14.25	\$17.02	\$19.79
Intern (Pay TBD based on Qualifications) NEW Rate Jan 1 2022	Undergrad Student	\$13.01	\$13.44	\$13.87	\$0.49	\$0.49	\$14.25	\$14.87	\$15.49
Intern (Pay TBD based on Qualifications) NEW Rate Jan 1 2022	BA/BS/in 1 st yr of Grad School	\$13.89	\$14.16	\$14.43	\$0	\$0	\$15.02	\$15.29	\$15.56
Intern (Pay TBD based on Qualifications) NEW Rate Jan 1 2022	2 nd yr of Grad Sch/MA/MS	\$14.44	\$18.21	\$21.99	\$0	\$0	\$15.74	\$19.52	\$23.29
OFFSITE - HOURLY Positions		2022	2022	2022	2022	2022	2022	2022	2022
Senior Planner (offsite)	MA/MS + 2 yrs = 8 years	\$38.93	\$43.26	\$47.60	\$0	\$0	\$38.93	\$43.26	\$47.60
Inspector - (offsite)	BA/BS = 4 years and/or special certifications	\$31.37	\$38.09	\$44.81	\$0	\$0	\$31.37	\$38.09	\$44.81
Housing Specialist - (offsite)	BA/BS = 4 years and/or special certifications	\$31.37	\$38.09	\$44.81	\$0	\$0	\$31.37	\$38.09	\$44.81
Project Specialist	Pay TBD based on Qualifications								
Senior Public Health Nurse	MSN or BSN + 4 years						\$39.00	\$41.00	\$43.00
Public Health Nurse	BSN + 2 years						\$32.00	\$33.50	\$35.00

Effective January 1, 2021, the Massachusetts minimum wage is \$13.50 per hour
Effective January 1, 2022, the Massachusetts minimum wage is \$14.25 per hour

Berkshire Regional Planning Commission
Small Necessities Leave Act Policy DRAFT 1.29.2022

Under Massachusetts law the Small Necessities Leave Act. Law MGL c.149, § 52D(b), employees who are eligible for Family Medical Leave are also entitled to 24 hours of unpaid Small Necessities leave during a twelve-month period. The 12-month period will be calculated on a fiscal year basis. Leave may be taken for the following reasons:

- 1) To participate in school activities directly related to the educational advancement of a son or daughter of the employee, such as parent-teacher conferences or interviewing for a new school;
- 2) To accompany the son or daughter of the employee to routine medical or dental appointments, such as check-ups or vaccinations;
- 3) To accompany an elderly relative of the employee to routine medical or dental appointments and for other professional services related to the elder's care, such as interviewing at nursing or group homes. (An elderly relative is defined as one who is 60 years of age and related by blood or marriage.)

A. Use of Paid and Unpaid Leave

Employees who use leave under this policy must first use unused vacation, compensatory time, or floating holiday time. If the amount of leave granted exceeds the available balances, the difference shall be leave without pay. If the leave is unpaid and the employee is in the Massachusetts State Retirement, there will be no contribution to the state retirement for the unpaid time.

Employees requesting to take Small Necessities Leave are required to complete a "Request for Time Off Under the Small Necessities Leave Act". Notification of the request must be submitted to the Office Manager. If the leave is foreseeable, the request must be submitted not less than seven days prior to the beginning of the leave. If the necessity for leave is not foreseeable, employees must provide such notice as practicable.

Questions regarding this policy are to be directed to the Office Manager.

Berkshire Regional Planning Commission
Domestic Violence Leave Act Policy DRAFT 1.26.2022

Berkshire Regional Planning Commission complies with the Massachusetts Domestic Violence Leave Act. MGL c.149, § 52E. This policy provides employees with a general description of their rights under the Act. Questions regarding this policy are to be directed to the Executive Director.

A. Employee Eligibility

Under this policy, an employee who is a victim of domestic violence or who is a covered family member of a victim of domestic violence is entitled to take up to 15 days of leave within a rolling, 12-month period, counting backwards from the first date of requested leave. For purposes of this policy, a covered family member includes: spouse; fiancée of a victim of domestic violence; individual with whom the victim of domestic violence has a substantive dating relationship and who resides with the individual; someone with whom the victim of domestic violence has a child in common; or the parent, step-parent, child, step-child, sibling grandparent, grandchild, or guardian to a victim of domestic violence.

An employee who is a victim of domestic violence or who is a covered family member of a victim of domestic violence is entitled to leave beginning on the employee's first day of employment. Alleged perpetrators of domestic violence are not entitled to leave under this policy.

B. Eligible Reasons for Leave

To qualify for leave under this policy, an employee must be taking leave for one of the reasons listed below:

- 1) When the employee is a victim of abusive behavior or a covered family member of the employee is a victim of abusive behavior. Abusive behavior under this policy includes any behavior constituting domestic violence; stalking; sexual assault; and kidnapping.
- 2) When the employee is using the leave to: seek or obtain medical attention, counseling, victim services or legal assistance; secure housing; obtain a protective order from a court; appear in court or before a grand jury; meet with a district attorney or other law enforcement official; or attend child custody proceedings or address other issues directly related to the abusive behavior, whether or not the employee is a victim of domestic violence or the employee's covered family member is a victim of domestic violence.

C. Notice of Leave

If an employee's need for leave is foreseeable, s/he must give 7 days' notice before the date the leave is to begin. The employee must provide notice of his/her need for leave to the Office Manager.

If the need for leave is due to a threat of imminent danger to the health or safety of the employee or the covered family member of an employee, the employee is not required to provide advance notice of the leave; provided, however, that the employee must notify the Office Manager within three (3) workdays that the leave was taken or is being taken under this policy. Notice may be communicated to Berkshire Regional Planning Commission by the employee, a family member of the employee, or the employee's counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate or other professional who has assisted the employee in addressing the effects of the abusive behavior.

D. Documentation Required

Berkshire Regional Planning Commission requires documentation establishing the need for leave under this policy and establishing that the leave is taken for eligible reasons.

If the employee requests a scheduled absence under this policy, Berkshire Regional Planning Commission will request documentation in writing supporting the employee's need for leave under this policy. The employee must return this documentation within 15-days of the employer's written request or provide a reasonable explanation for the delay.

If an employee's need for leave is not foreseeable because it is the result of a threat of imminent danger to the health or safety of the employee or the employee's covered family member, the employee must provide documentation evidencing the need for leave within 30-days from the unauthorized absence or within 30 days from the last unauthorized absence if the absence is for consecutive days.

An employee may provide any of the following in support of his/her need for leave:

- 1) A protective order or other documentation issued by a court as a result of the abusive behavior;
- 2) A document under the letterhead of the court, provider, or public agency that employee consulted for the purposes of acquiring assistance related to the abusive behavior;
- 3) A police report or statement of a victim or witness provided to the police documenting the abusive behavior;
- 4) Documentation that the perpetrator has admitted to sufficient facts to support a finding of guilt; has been convicted; or has been adjudicated a juvenile delinquent;
- 5) Medical documentation of treatment as a result of the abusive behavior;

- 6) A sworn statement, signed under the pains and penalties of perjury, provided by a counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate, or other professional who assisted in addressing the effects of the abusive behavior; or
- 7) A sworn statement, signed under the pains and penalties of perjury, from the employee attesting that the employee either is a victim of abusive behavior or is the family member of a victim of abusive behavior.

The appropriate documentation must be provided to the Office Manager. Failure to provide the documentation may result in a denial of the leave.

E. Use of Paid and Unpaid Leave

Employees who use leave under this policy must first use unused vacation, sick, compensatory time, or floating holiday time. If the amount of leave granted exceeds the available balances, the difference shall be leave without pay. If the leave is unpaid and the employee is in the Massachusetts State Retirement, there will be no contribution to the state retirement for the unpaid leave.

F. Employee Status During and After Leave

While an employee is on leave, Berkshire Regional Planning Commission will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

Under current agency policy, the employee pays a portion of the health care premium. While on paid leave, Berkshire Regional Planning Commission will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail.

If the employee contributes to a life insurance or disability plan, the employer will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of those benefits and pay his or her portion of the premiums to maintain coverage. If the employee does not continue these payments, the Berkshire Regional Planning Commission may discontinue coverage during the leave.

An employee who takes leave under this policy will be returned to their same position at the end of the leave.

An employee may request from the Executive Director an additional paid or unpaid leave beyond the 15-days. If the Executive Director agrees to provide leave for longer than the 15-days, the Commission shall not deny job reinstatement or other rights and benefits unless the Commission clearly informs the employee in writing prior to the commencement of the leave and prior to any extension that taking

longer than 15-days will result in denial of reinstatement or loss of other rights and benefits.

G. Confidentiality

All information obtained by the employer related to the employee's request for leave will be treated as confidential and will not be disclosed unless:

- 1) Requested or consented to, in writing, by the employee;
- 2) Ordered to be releasedd by a court;
- 3) Required by state or federal law;
- 4) Required in the course of an investigation authorized by law enforcement, including an investigation by the attorney general; or
- 5) Necessary to protect the safety of the employee or others employed at the workplace.



January 11, 2022

Kathleen Theoharides, Secretary
Executive Office of Energy and Environmental Affairs
Attn: Alex Strysky
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: Lenox Valley Transfer Station ENF, EEA# 16498

Dear Secretary Theoharides:

The Berkshire Regional Planning Commission (BRPC) hereby submits comments on the ENF for the Lenox Valley Transfer Station (EEA #16498) in the Town of Lenox. The proposed project increases the permitted tonnage of accepted waste at the Lenox Valley Transfer Station (LV) to 250 tpd, specifically, an increase of 52 tpd from the existing permitted 198 tpd. The proposed project has met or exceeded MEPA review thresholds for Solid Waste and requires a modification of a MADEP Large Handling Facility Permit (BWP SW07). A BWP SW 07 Permit Application for Modification of a Large Handling Facility has been submitted to MassDEP Division of Solid Waste for review simultaneous to ENF filing.

The request for increase in tonnage is mainly due to current C & D waste market in Berkshire County. The Covanta Resource and Recovery Facility in nearby Pittsfield, MA recently halted C & D Waste acceptance, further increasing need for a C & D disposal outlet in Berkshire County. The proposed increase of tpd at the LV facility would likely assist in absorbing a portion of the C & D waste that Covanta is no longer accepting. Berkshire County has a shortened construction season due to prolonged winters, which in turn causes a spike in construction projects typically between May and September. Furthermore, the population of Berkshire County drastically increases during the same months due to an influx of tourists and second homeowners. This drastic fluctuation in population coupled with peak construction activity puts stress on the local waste stream privately and commercially.

BRPC believes that the ENF has adequately addressed potential issues and an EIR is not warranted. Although the project is located within an Area of Critical Environmental Concern, no construction or physical expansion is proposed, impacts will be limited and the project is appropriately sited. In addition, on-site stormwater controls have been designed and constructed to prevent erosion and discharge of pollutants. According to the ENF, the currently requested increase of acceptance to 52 tpd should allow for the facility to meet seasonal demands with daily acceptance flexibility, contracting large-scale construction projects during peak season, absorbing C & D waste streams from other facilities no longer accepting C & D, and expansion beyond Berkshire County, while maintaining compliance with the annual permitted capacity. The project is adequately regulated by MADEP through the modification of a Large Handling Facility Permit (BWP SW07).

The BRPC Environmental Review Committee endorsed these comments at their meeting on January 10, 2022.

Sincerely,

Thomas Matuszko, AICP
Executive Director

Berkshire Regional Planning Commission Environmental Review Report

January 10, 2022

SUBJECT: Lenox Valley Transfer Station
EOEEA#: 16498
LOCATION: Lenox
REVIEW TYPE: ENF
PROPONENT: Lenox Valley WTF, LLC
COMMENTS DUE: January 11, 2022

Project Description

The Lenox Valley Waste Transfer Facility (LV) at 64-68 Willow Creek Road in Lenox is located in an industrial zoned area of Lenox. LV is a solid waste transfer station that is permitted to accept construction and demolition (C&D) waste and municipal solid waste (MSW). All C&D waste received at the LV is unloaded on the facility's tipping floor where it is sorted for recycling and/or disposal. A curbside drop-off area for non-commercial waste and recycling acceptance is located on Willow Creek Road. The facility operates 7am – 5pm Monday through Friday and 7am – 12pm on Saturdays. The facility sorts incoming loads of C & D waste and segregates materials into rail cars for transport for disposal or roll-off containers for recycling. The LV facility is currently operating under an Authorization to Operate (ATO) permit dated April 16, 2020, and Waste Ban Compliance Plan (WBCP) permit also dated April 16, 2020.

Lenox Valley WTF, LLC purchased the facility in December of 2008 and MassDEP granted an ATO Permit for the facility. LV implemented modifications, including renovations to the former facility office building and the construction of the new waste handling building and rail spur. These modifications include the facility as it exists today. Following the modifications, MassDEP approved an increase of waste acceptance at the facility to 100 tpd in May of 2009. On July 23, 2012, MassDEP granted a BWP SW 07 - Modification of a Large Handling Facility (BWP SW 07) permit that increased the maximum tonnage to 149 tpd. A separate BWP SW 07 permit was issued on August 6, 2015, that increased the maximum tonnage to 198 tpd where it currently stands today.

In January 2019, LV submitted a BWP SW 07 to MassDEP for an increase of waste acceptance from 198 to 247 tpd (49 tpd). No physical or operation changes were proposed for the facility. MassDEP did not approve the application due to MEPA requesting an ENF in accordance with 301 CMR 11.03(9)(b)1. The MEPA office had raised concerns of project segmentation based on the timing and quantity of tpd increase requested from previous BWP SW 07 permit applications for the facility. The proponent assumed that this process was required based on the comments from MEPA in the ENF Certificate (EOEA# 10376). In June of 2020, LV submitted an ENF to MEPA and subsequently a revised BWP SW 07 to MassDEP altering their request to a maximum of 500 tpd, an increase of 302 tpd from the current permitted amount of 198 tpd. The purpose for requesting the large increase of tpd request at this time was to avoid further project segmentation (i.e., requesting additional tpd in the future). Based on several concerns raised by MEPA and MassDEP prior to the formal ENF review, LV withdrew the ENF in July of 2020 prior to publication in the Environmental Monitor.

Following the withdrawal of the June 2020 ENF, discussions with MEPA and MassDEP Division of Solid Waste focused on the existing size of the facility, alternatives, and potential impacts (traffic, noise, etc.) that may be caused by an increase in tpd. Based on these discussions, LV Has determined that a

request for an increase of 52 tpd at the facility is more appropriate for its existing condition, layout, and operations. As such, a revised BWP SW 07 Permit Application has been submitted to MassDEP for a 52 tpd increase simultaneous to this ENF review.

Required Permits & MEPA Thresholds

The proposed project has met or exceeded MEPA review thresholds for an Environmental Notification Form (ENF) for Solid Waste. Under the MEPA Regulations, specifically section 301 CMR 11.03 (9)(b)(1), expansion in capacity for combustion or disposal of any quantity of solid waste, storage, treatment or processing of 50 or more tpd of solid waste may require an ENF or other MEPA review if the Secretary so requires unless the project is exempt from site assignment requirements. This project does not meet or exceed a mandatory EIR threshold.

State agency actions include modification of a MassDEP Large Handling Facility Permit (BWP SW07). A BWP SW 07 Permit Application for Modification of a Large Handling Facility has been submitted to MassDEP Division of Solid Waste for review simultaneous to ENF filing.

Project Design

The proposed project increases the permitted tonnage of accepted waste at LV to 250 tpd, specifically, an increase of 52 tpd from the existing permitted 198 tpd. No physical or operational changes are proposed at the facility with this application; thus, no new construction is proposed. The request for increase in tonnage is mainly due to current C & D waste market in Berkshire County. Several current and up-coming large-scale construction and/or demolition projects within and immediately surrounding area have increased the demand for a local facility that accepts C & D waste. In addition, the Covanta Resource and Recovery Facility in nearby Pittsfield, Massachusetts recently halted C & D Waste acceptance, further increasing need for a C & D disposal outlet in Berkshire County. The proposed increase of tpd at the LV facility would likely assist in absorbing a portion of the C & D waste that Covanta is no longer accepting. Unlike eastern Massachusetts, Berkshire County has a shortened construction season due to harsh and prolonged winters which in turn causes a spike in construction projects typically between May and September. Furthermore, the population of Berkshire County drastically increases during the same months due to an influx of tourists and second homeowners. This drastic fluctuation in population coupled with peak construction activity puts stress on the local waste stream privately and commercially. The current permitted limit of 198 tpd at the LV facility has a negative impact to regular customers in addition to local waste haulers. During peak business months (May-September) LV may refuse to contract large-scale construction projects or allow incoming loads to the facility so that the 198 tpd daily cap for the facility is not exceeded. By turning away customers, lost revenue and scheduling conflicts are created on both ends. Moreover, due to the C & D disposal and recycling void in Berkshire County, declining customers from the facility creates a financial burden to local contractors, businesses, and homeowners.

LV current permit allows for 198 tpd which equates to 72,270 tpy (365 days). For 2017, 2018, 2019, and 2020, LV accepted an average of 75, 69, 66, and 76 tpd, respectively, which equates to 23,025, 21,183, 20,308, and 23,436 tpy, respectively. These averages were based on approximately 307 days of operation each year. These tpy totals are between approximately 48,000 and 52,000 tons less than the annual permitted allowance. Based on the data, the currently requested increase of acceptance to 52 tpd should allow for the facility to meet seasonal demands with daily acceptance flexibility, contracting large-scale construction projects during peak season, absorbing C & D waste streams from other facilities no longer accepting C & D, and expansion beyond Berkshire County, all while maintaining compliance with the annual permitted capacity.

Based on the annual reporting for the last three (3) years (2018-2020), approximately 81% of accepted waste at LV is C&D, 8% MSW, with the remaining 11% consisting of recyclable materials (paper, cardboard, clean wood, metal, plastics, glass, ABC, compost materials). Furthermore, since the adoption of the February 2020 Minimum Performance Standard (MPS) for C & D Handling Facilities for Compliance with MassDEP's Waste Ban Regulations and Waste Ban Compliance Plans, significant improvements have been made with the Process Separation Rate (PSR) at LV. In 2019 and 2020, in an attempt to meet the minimum threshold for the 15% PSR, LV was able to increase diverted materials by approximately 60%, from 6% in 2018, to 11% in 2019, to 16% in 2020. According to the ENF, the facility will strive to prevent "leakage" (improper disposal of mixed C & D waste without adequate processing to separate banned and other recoverable materials) to the greatest extent possible to meet the PSR. LV is unique; unlike other transfer stations in the State, LV will remove banned waste from the waste stream for proper disposal and/or recycling. All incoming loads are closely inspected for restricted waste at the weigh scale and tipping floor. LV does not accept hazardous waste or liquid wastes under any circumstance.

Alternatives Analysis

In addition to the preferred alternative the proponent analyzed a "no build" alternative and a relocation alternative. The project cost, logistics, existing technology, and the proposed use were evaluated and compared in determining the preferred alternative. Based upon the unavailability, lack of railroad access, zoning restrictions, and physical conditions of alternative sites for a facility in Pittsfield, Lenox, and Lee, the best alternative for the proposed project, both logistically and economically, was determined to be the existing LV facility on Willow Creek Road. The cost of relocation is not economical as the preferred alternative does not require any physical or operational changes to the LV facility that would add cost. The existing railroad track siding, centralized location, and close proximity to a major arterial highway in Berkshire County (Route 7 & 20, I-90), make the existing LV site the most suitable for a C & D waste transfer facility. The existing facility as built, equipped, and configured, meet the needs for a 52 tpd waste increase. The proponent owns, maintains, and holds all required permits to operate the current existing facility.

Potential Impacts

According to the ENF, potential negative impacts are found to be limited due to the existing site location, current layout and operations, and size of the existing LV facility. The facility is currently permitted for 198 tpd and the waste handling building has not come close to full capacity at any time during its operation due to access to several 100 cy rail cars stacked on the adjacent side rail. Housatonic Railroad Company is able to manage full railcars daily, if needed, thus the waste handling building can be emptied on a daily basis. The request for increase of 52 tpd is anticipated to allow LV to meet the increased demand for the seasonally driven C & D waste market in Berkshire County. According to the ENF, traffic, noise, and nuisance evaluations have been conducted for the project and conclude that the proposed tpd increase will not have a negative impact to the environment, health, or human welfare.

The project is located within an Area of Critical Environmental Concern. However, no physical expansion is proposed. On-site stormwater controls have been designed and constructed to prevent erosion and discharge of pollutants, reduce TSS loads, recharge groundwater, and protect the integrity of the facility. The stormwater controls include onsite surface run-off control in addition to subgrade stormwater infiltration and off-site improvement of drainage swales and culverts on the abutting railroad property. According to the ENF, all waste handling areas are kept within an enclosed building; thus, stormwater

flow does not affect the material. The stormwater controls are designed to accommodate multiple 24-hour storms, including the 25-year and 100-year storm, so that the peak rate of runoff is controlled.

BRPC Staff Comments

BRPC believes that the ENF has adequately addressed potential issues and an EIR is not warranted. The project is adequately regulated by MassDEP through the modification of a Large Handling Facility Permit (BWP SW07). No construction or physical changes are proposed, impacts will be limited and the project is appropriately sited.

Based upon the information presented, the proposed expansion will result in an increase of 99 trips per day. Transportation Planning Staff have reviewed the transportation section of the ENF and accompanying Traffic Impact and Access Study for the Lenox Valley Waste Transfer Facility expansion. Trip generation was based on traffic generated by the operation of the existing facility and extrapolated based the increased throughput which equates to a 26% increase in the number of trips. The traffic operational analysis which was conducted was performed using customary practices and methodologies. The intersections evaluated included Housatonic Street/Crystal Street intersection and both project driveways. The result of the analysis indicates that the anticipated increase in vehicle trips will not have a significant, negative impact on the roadway intersections that will be utilized to access this project site. Staff concurs with this finding and no mitigation is recommended as the impacts are negligible.

It should be noted that within the Transportation Section of the ENF (II B.) the response is answered incorrectly. The question inquires "Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation facilities?" It is our understanding that the waste from this facility is removed or transferred from the project site via rail cars and a rail line is adjacent to this property, and therefore the response to this question should be "yes".



Environmental Review Committee

Meeting Minutes

Monday, January 10, 2022, 2:00 p.m.

Via Zoom

Committee Members Present: Roger Bolton (Chair), John Duval, Edward Holub, Mark Smith, Eleanor Tillinghast, Kyle Hanlon, and Jack Hickey

Others Present: Melissa Provencher (BRPC) and Tom Matuszko (BRPC)

I. Call to Order

ERC Chairman Bolton called the meeting to order at 2:01pm and began roll call.

II. Approval of Meeting Minutes from June 10, 2021

K. Hanlon made a motion to approve the minutes. The motion was seconded by E. Holub. ERC Chairman Bolton conducted a roll call vote.

R. Bolton: Aye

E. Holub: Aye

K. Hanlon: Aye

M. Smith: Aye

J. Duval: Abstain

E. Tillinghast: Aye

The motion passed.

III. Lenox Valley Waste Transfer Facility - Environmental Notification Form

Chairman Bolton explained that a remote site visit was held by MEPA on January 6, 2022 and attended by both Chairman Bolton and M. Provencher. Comments on the ENF are due by January 11, 2022.

M. Provencher presented the Environmental Review Report and explained that the Lenox Valley Waste Transfer Facility (LV) is located in an industrial zoned area of Lenox. LV is a solid waste transfer station that is permitted to accept construction and demolition (C&D) waste and municipal solid waste (MSW). The proposed project has met or exceeded MEPA review thresholds for an Environmental Notification Form (ENF) for Solid Waste. State agency actions include modification of a MassDEP Large Handling Facility Permit (BWP SW07).

The proposed project increases the permitted tonnage of accepted waste at LV to 250 tpd, specifically, an increase of 52 tpd from the existing permitted 198 tpd. No physical or operational changes are proposed at the facility with this application; thus, no new construction is proposed. The request for increase in tonnage is mainly due to current C & D waste market in Berkshire County. Berkshire County has a shortened construction season due to harsh and prolonged winters which in turn causes a spike in construction projects typically between May and September. Furthermore, the population of Berkshire

County drastically increases during the same months due to an influx of tourists and second homeowners. This drastic fluctuation in population coupled with peak construction activity puts stress on the local waste stream privately and commercially. In addition, the Covanta Resource and Recovery Facility in nearby Pittsfield recently halted C & D Waste acceptance, further increasing need for a C & D disposal outlet in Berkshire County. The proposed increase of tpd at the LV facility would likely assist in absorbing a portion of the C & D waste that Covanta is no longer accepting.

The potential negative impacts appear to be limited due to the existing site location, current layout and operations, and size of the existing LV facility. The facility is currently permitted for 198 tpd and the waste handling building has not come close to full capacity at any time during its operation due to access to several 100 cy rail cars stacked on the adjacent side rail. Housatonic Railroad Company is able to manage full railcars daily, if needed, thus the waste handling building can be emptied on a daily basis. The request for increase of 52 tpd is anticipated to allow LV to meet the increased demand for the seasonally driven C & D waste market in Berkshire County. Based on information presented within the ENF and the remote site visit, it appears that the increase to 250 tpd is the maximum that MassDEP recommends at the site. It is unclear whether this is based on the current physical capacity of the site, which would require expansion to accept more than 250 tpd, or whether this determination is based on the site location.

E. Tillinghast asked about the sentence at the end of the first paragraph on page two of the ERC Report that includes "LV will except waste ban wastes and remove them from the waste stream for proper disposal and/or recycling" and whether this should be "accept" and not "except". M. Provencher explained that the wording is from the ENF; however, she believes this is in reference to the systems that the LV facility has in place to ensure that banned wastes, (i.e., hazardous wastes) are not accepted and that if a small amount is mixed with other waste it is separated out and disposed of accordingly. E. Tillinghast stated that the language including the word "except" and the phrasing "waste ban wastes" is confusing, and wondered if "banned waste" would be better phrasing. In addition, the last sentence of the first paragraph on page 3, which states "LV does not except hazardous waste or liquid wastes under any circumstance." Should be "accept" not "except". The last paragraph on page 4 regarding Transportation Section of the ENF (II B.) was confusing. M. Provencher explained that the LV facility is on the rail line and does use rail to transport waste; therefore the answer to the question about whether the project uses (or occur in the immediate vicinity of) rail, was answered incorrectly and the answer should have been "yes". M. Provencher agreed that this language can be modified.

M. Provencher added that, although it may not be relevant to the comments, it is relevant to the Committee to consider the broader, potential implications of the Covanta Resource and Recovery Facility halting C & D Waste acceptance. Although it is anticipated that the increase in tpd at the LV facility will absorb a portion of the C & D waste that Covanta is no longer accepting, it is too soon to tell what the true implications are to the region. It is possible that a new facility will need to be created; and that it may meet the needs of the County better to locate a facility in Central or North County rather than physically expanding the LV facility.

The Committee agreed with the concerns regarding the long-term implications of the Covanta Resource and Recovery Facility halting C & D Waste acceptance. T. Matuszko will ask the Environmental & Energy Program staff to explore this issue. Chairman Bolton suggested that the Environmental & Energy Program staff work with Laura Brennan, the Economic Development Program Manager. M. Smith

inquired about where the nearest facility is that accepts C & D Waste, and whether the LV facility accepts waste outside of Berkshire County. M. Provencher indicated that she is not aware of where the closest facility is, but that the LV facility can accept waste outside of Berkshire County and their permit is based on tons per day and not tied to geography. T. Matuszko indicated that the municipal facility is Springfield may accept C & D Waste from Berkshire County. M. Smith indicated that there may be a facility in Cheshire. J. Duval asked whether the Town has any regulatory authority over the increase in tpd. M. Provencher responded that she does not believe the Town has any regulatory authority as it is a modification to an existing MassDEP permit. However, M. Provencher stated that the Lenox Town Planner was present at the remote site visit and M. Provencher has already reached out to the Town for their input. M. Provencher will inquire with the Town about regulatory authority.

K. Hanlon moved to authorize the Executive Director to send a letter on behalf of the Committee consistent with staff recommendations within the Environmental Review Report and the Committee discussion. M. Smith seconded the motion. ERC Chairman Bolton conducted a roll call vote.

R. Bolton: Aye
E. Holub: Aye
E. Tillinghast, Aye
M. Smith: Aye

E. Tillinghast: Aye
K. Hanlon: Aye
Jack Hickey: Muted

The motion was passed.

IV. Other Business

ERC Chairman Bolton raised one item under Other Business. ERC Chairman Bolton had previously recommended that the ERC general operating procedures be distributed and reviewed periodically. Chairman Bolton explained he had intended to include the review of the ERC general operating procedures on the agenda for this meeting. However, since this meeting had to be scheduled for only an hour there wasn't enough time to review the operating procedures. Chairman Bolton stated that he intends to make edits to the current operating procedures and circulate an annotated copy.

V. Adjournment

E. Tillinghast made a motion to adjourn at 2:42pm. The motion was seconded by E. Holub. ERC Chairman Bolton conducted a roll call vote.

R. Bolton: Aye
K. Hanlon: Aye
E. Holub: Aye

E. Tillinghast: Aye
M. Smith: Aye
Jack Hickey: Muted

The motion was passed unanimously.

Materials distributed electronically:

- ERC Agenda 1/10/22
- ERC Minutes 6/10/21
- Environmental Review Report 1/10/22
- Lenox Valley Waste Transfer Facility Environmental Notification Form



CEDS COMMITTEE MEETING MINUTES

Virtual Meeting via Zoom

January 12, 2022

I. Call to Order

Kyle H. called the meeting to order at 1:02PM

Committee Members Present

George Ambriz, Berkshire Community College
Roger Bolton, Williams College (Retired)
Heather Boulger, MassHire
Keith Girouard, Massachusetts Small Business Development Network
Kyle Hanlon, BRPC, Chair
Lesley Herzberg, Berkshire County Historical Society at Arrowhead
Ben Lamb, 1Berkshire
Allison Marchese, CDC of Southern Berkshire
Laurie Mick, PERC
Mike Nuvallie, City of North Adams
Mark Philips, Berkshire Agricultural Ventures
Chris Rembold, Town of Great Barrington
Ben Sosne, Berkshire Innovation Center
Christina Wynn, Berkshire Community College
John Duval, Town of Adams/BRPC Commission Chair

Committee Alternates Present

Kevin Pink, 1Berkshire

Guests Present

Shannon Smith, Berkshire Agricultural Ventures

Not Present

Jim Lovejoy, Town of Mt. Washington
Ian Rasch, Alander Construction
Deanna Ruffer, City of Pittsfield

BRPC Staff Present

Tom Matuszko, Executive Director
Laura Brennan, Economic Development Program Manager
Mark Maloy, GIS and Data Manager
Wylie Goodman, Senior Economic Development Planner

Kyle H. asked all present to briefly introduce themselves.

II. Approval of Minutes from September 29th, 2021

Roger B. moved to approve the minutes from September 29th, 2021. Ben L. seconded. No discussion. The motion passed, with Chris Rembold abstaining.

III. Comments from the Public

No comments from public.

IV. EDA CARES Act project

Berkshire Benchmarks – There were 18 responses to the RFP for the new website. The selected vendor is Badie Design, teaming up with The Simple View for the data side. Mark Maloy shared a preliminary draft of the new BerkshireBenchmarks.org homepage and described the components that will be presented through the new site. Construction of the site is beginning now and should be live by mid-April. There is also a qualitative survey active now. All households in Berkshire County will receive a postcard in the next week. An initial email alert regarding the survey has already garnered over 1200 responses, with a good distribution of ages, income levels, etc. The intention is to have a convening also in April to present the new website, unveil survey results, and distribute a State of the Region report.

Technical Assistance for Businesses – Ben Lamb reported that the Berkshire Economic Recovery Project has now completed its first round of contracts with presenters. Through the end of December, 7 or 8 cohorts have been conducted, with attendees then being able to access one-on-one technical assistance support. Two presenters will continue into the next round of sessions, and two additional presenters will be added. We are currently looking for Spanish-speaking TA providers. The next round of cohorts will begin in early February. Laura B. added that the TA organizers are interested in suggestions for topics and presenters for 2022. There are substantial funds set aside in the project for this work.

Technical Assistance for Municipalities – Laura B. reminded the group about previous discussions of one-on-one TA being provided on an as-needed basis, and the Recovery & Resilience e-newsletter which is being sent to town administrators/managers, planning board chairs, and select board chairs. BRPC staff has also recently begun working on a “Toolkit” project, comprised of 2-page summaries of a wide range of economic development strategies that municipalities have at their disposal. All Toolkit items will be posted on www.berkshireplanning.org and sent via the Resilience e-newsletter. Laura shared draft examples related to Accessory Dwelling Units and Affordable Housing Trusts, and described some additional topics which will be addressed, such as the state’s PACE program and Vacant Storefront Program. Committee members are invited to suggest additional topics. Ben Sosne suggested that PACE could also be presented as a TA session, either in-person or via Zoom. Wylie Goodman suggested Business Improvement Districts as a Toolkit topic.

Long-term Resiliency Planning – Wylie G. described a survey that the working group has developed which will be used to facilitate interviews with leaders in our priority industries as well as other areas of interest or concern. Wylie shared some example questions with the group and collected suggestions of additional questions related to assistance and relief funding received.

Project Identification and Support – Mark Phillips and Shannon Smith from Berkshire Agricultural Ventures provided an update regarding recently awarded USDA grants. Shannon first gave an overview of BAV’s mission and lending programs. They manage a \$400,000 revolving loan fund as well as other programs containing capital BAV is eager to put to work. They are looking to grow their client pipeline and Shannon encouraged referrals. Mark described USDA grants totaling \$1.5 million which BAV is currently administering.

Regional Food Systems Partnership – focused on livestock support program. BAV looks closely at meat processing issues and works to identify solutions. Three primary objects are to 1. Help fund existing livestock support program, 2. Pursue significant grant funding that is available for livestock producers and processing facilities, and 3. Launch a working group in partnership with Berkshire Grown to work across the value chain to improve the quality of communication and coordination across partners.

Local Food Promotion Program – longstanding USDA program, this project is to support the growth of a virtual food marketplace and distribution platform. Partnering with Berkshire Organics to drive local food sales and improve year-round market opportunities.

Laura B. stated that BAV staff were invited because BRPC and 1Berkshire are named as partners in the RFSP scope, but also because food access and security are topics that will be addressed in the resiliency chapter of the CEDS. The working group's next meeting on February 2nd will include guests from BAV as well as several other organizations working in the food and agriculture realm. From there, a focus group will expand further the number of people and perspectives being taken into consideration for resiliency planning.

V. 2023-2027 Berkshire County CEDS

Laura B. explained that the next 5-year CEDS will be written during 2022. It will be in effect from 2023 to 2027. There is a pending application to EDA to support work on the CEDS. The committee will need to meet more frequently during the CEDS development process. There is currently a delay in the release of ACS data, so much of the work on documenting and analysis will need to occur in the second half of the year. We will again solicit Priority Projects as has been done during intervening years since the last CEDS. The CEDS goals will be able to be renewed or revamped during this process. Discussion of 2023-2027 CEDS goals will be a major portion of the next few meetings.

VI. Adjournment

Ben L. moved to adjourn the meeting. Heather B. seconded the motion. The motion passed and the meeting was adjourned at 2:41.



BRPC

Berkshire Regional Planning Commission

JOHN DUVAL, Chair
MALCOLM FICK, Vice-Chair
SHEILA IRVIN, Clerk
BUCK DONOVAN, Treasurer
THOMAS MATUSZKO, A.I.C.P.
Executive Director

DRAFT Commission Development Committee

Minutes from January 13, 2022

The meeting was held via Zoom. Chair René Wood called the meeting to order at 4:31 p.m.

Roll call:

René Wood, Sheffield
Pedro Pachano, Great Barrington
Buck Donovan, Lee
Kyle Hanlon, North Adams
John Duval, Adams, Ex-officio

BRPC Staff: Tom Matuszko, Marianne Sniezek, Kate Hill Tapia, Chris Brown, Chris Skelly

I. Approval of Minutes from December 14, 2021

Kyle Hanlon moved to approve the December 14, 2021 minutes; René Wood seconded. Kyle Hanlon and René Wood approved the minutes. The following abstained: Pedro Pachano, Buck Donovan, and John Duval.

II. Determine how to collect preferences and priorities for housing education topics at the Commission meeting on January 20

Tom reviewed that this committee was asked to figure out how to approach the housing topic at this year's Commission meetings and create a broader discussion than the tool box items Chris and Chris are developing.

At the January 20 full Commission meeting, Tom will briefly present the Berkshire Regional Housing Strategy developed based on the assessment led with 1Berkshire, and incorporated stakeholders' input from across the county.

René asked, how do we find out what Commission members need to know about housing? Do they need to know about housing assessments? Where to find housing was mentioned as a basic question.

Tom suggested that the question is: How to get started in housing planning as a community? Steps are:

1. Assessment
2. Production Plan
3. Review Zoning

If town leaders mention rezoning, they need to be prepared for questions like: How is it going to change my neighborhood? Will we lose trees and or open

space?

There are different issues and challenges even between the four towns represented in the meeting. Issues include: available land, the quantity of low-income housing, high real estate values, sub-standard older housing, some have done a housing assessment, some have 40R, and some are not eligible for it, etc. Most communities struggle to educate the public that “affordable housing” includes housing for working residents. There is a stigma against low-income people and misunderstanding that government housing efforts would only benefit low-income people.

Some questions were raised:

- What tools do state and or federal governments offer for housing?
- What obstacles are in the way of addressing housing issues?
- What do developers need from towns? Should we invite some to a meeting?
- Could towns issue municipal bonds and offer low-interest funding to developers?
- How to educate the public why housing is so important and that “housing” doesn’t just mean “low-income housing”?
- Lack of housing limits economic development and recruiting efforts.
- Berkshire county has exciting success stories of market rate housing diversifying housing stock in a non-threatening way.
- Is there data that shows what type of housing is needed where?
- What creative ways can the issues be addressed? E.g., tiny houses, \$1 / year leases on publicly owned property, etc.

It was concluded that after the Regional Housing Strategy presentation, a few case studies will be shared to highlight the effect of insufficient market-rate housing. Tom will share a BRPC staff example; John will talk about Adams and General Dynamics; Pedro will share Great Barrington’s accessory dwelling neighbor story. This should open up discussion.

Towns’ success stories can be shared at the March Commission meeting with breakdowns on what it took to create new housing.

III. Determine how to collect questions for state-wide candidates (Governor, Lt. Governor, Auditor) from communities and how to distribute responses

It was agreed to solicit questions from Commission members as part of the January 20 meeting packet. This committee will review the submissions, grouping them and recommending a final list of ten or fewer questions to the Executive Committee.

IV. Other Business – None

V. Next Meeting – tentatively, along with the Nominating Subcommittee: 5:45 p.m., March 17, 2022, before the full Commission meeting

- VI. **Adjournment** – Kyle Hanlon moved to adjourn the meeting; Pedro Pachano seconded, unanimously agreed. Meeting Adjourned at 5:26 p.m.

DRAFT



MINUTES OF THE Berkshire Metropolitan Planning Organization (MPO)
Tuesday, January 18, 2022

Meeting Held Via Zoom Video Communications

Meeting Materials: <https://berkshireplanning.org/event/berkshire-mpo-virtual-meeting-4/>

MPO Representatives/Alternates Present:

David Mohler	MassDOT (Representing Secretary Jamey Tesler)
Ray Bolduc	North Central Towns Alternate
John Boyle	North Towns Representative
John Duval	BRPC Chair
Zac Feury	City of North Adams
Francisca Heming	MassDOT District 1 (Representing Highway Administrator Gulliver)
Christine Hoyt	North Central Towns Representative
Sheila Irving	Chair of BRTA
Kent Lew	Southeast Towns Representative
Jim Lovejoy	Southwest Towns Representative
Ricardo Morales	City of Pittsfield

Others Present:

Peter Frieri	MassDOT District 1
Justin Gilmore	BRPC
Kyle Hanlon	City of North Adams
Michelle Ho	MassDOT OTP
Chris Klem	MassDOT OTP
Anuja Koirala	BRPC
Derek Krevat	MassDOT OTP
Clete Kus	BRPC
Thomas Matuszko	BRPC
Mark Moore	MassDOT District 1
Brandi Page	Town of Otis
Nick Russo	BRPC
Steve Savaria	Fuss & O'Neill
Sarah Vallieres	BRTA

I. Introductions

Mr. Mohler called the meeting to order at 4:01 p.m. Meeting attendees introduced themselves via a roll call conducted by Mr. Kus.

II. Opportunity for Public Comment

There were no public comments.

III. Approval of Meeting Minutes from November 23rd, 2021 (Action Item)

ACTION: Motion by Mr. Lovejoy, seconded by Mr. Lew to approve the meeting minutes from the November 23rd meeting.

Mr. Kus conducted a roll call:

David Mohler – Yea
Francisca Heming – Yea
John Duval – Yea
Sheila Irving – Yea
Ricardo Morales – Yea
Zac Feury – Yea
Christine Hoyt – Yea
John Boyle – Yea
Kent Lew – Yea
Jim Lovejoy – Yea

VOICE VOTE: Motion carried unanimously.

IV. Approval of an amendment (1st amendment) to the 2022-2026 TIP (Transit) and authorize the Chairman to sign the certification documents on behalf of the MPO members (Action Item)

Ms. Koirala proceeded to review the [first amendment](#) to the FFY 2022-2026 TIP. The first amendment relates to the need to include four new Transit projects to the FFY 2022 project list. Two projects fall under 5307, one for preventative maintenance (\$45,300) and one for operating assistance (\$3,249,366). The other two projects include the purchase of a <30 ft replacement bus (\$238,209) and S&B fare collection upgrades (\$257,134). After the November MPO meeting, the amendment went out for public comment – none were received.

ACTION: Motion by Mr. Lovejoy, seconded by Mr. Boyle to approve the amendment to the 2022-2026 TIP and authorize the Chairman to sign the certifications documents on behalf of the MPO.

Mr. Kus conducted a roll call:

David Mohler – Yea
Francisca Heming – Yea
John Duval – Yea
Sheila Irving – Yea
Ricardo Morales – Yea
Zac Feury – Yea
Christine Hoyt – Yea
John Boyle – Yea
Kent Lew – Yea
Jim Lovejoy – Yea

VOICE VOTE: Motion carried unanimously.

V. Discussion on the development of the 2023-2027 Transportation Improvement Program

Ms. Koirala proceeded to update MPO members on the development of the 2023-2027 TIP. Ms. Koirala showed the [2023-2027 TIP Tentative Schedule](#), mentioning that on January 4th, she sent around solicitation letters to each community for prospective TIP projects. January 31st is the deadline to respond with TIP project data forms. Ms. Koirala proceeded to review key milestones outlined in the tentative TIP schedule.

Mr. Duval asked for a reminder on the types of projects that communities can apply for through the TIP process and for a quick overview of how the actual submittal process is completed by municipalities.

Ms. Koirala mentioned that a workshop was held in 2018 in which the TIP process was discussed, including the different types of projects that can be included in the TIP along with how to proceed with submitting a project notification form through MassDOT's MaPIT software tool. BRPC staff are working to hold another, similar workshop this upcoming fall.

VI. Presentation, discussion, and action on Safety Performance Measure Targets (Action Item)

Mr. Klem proceeded to discuss [statewide numbers related to safety performance measures](#). Mr. Klem gave a brief background on performance measures, stating that performance measures were established by FHWA in 2016, along with requirements that state DOTs and MPOs track these performance measures. Performance measure 1 (PM1) relates to improving safety. Performance measure 2 (PM2) relates to maintaining pavement and bridge condition. Performance measure 3 (PM3) acts as a catch-all for system reliability.

Required performance measures under PM1 include:

Fatalities (total count and rate)

- 5-year average of total fatalities
- Rate of fatalities per 100,000,000 vehicle miles traveled (VMT)

Serious Injuries (total count and rate)

- 5-year average of serious injuries
- Rate of serious injuries per 100,000,000 VMT

Combined Non-Motorized Fatalities and Serious Injuries

Mr. Klem proceeded by stating that the calendar year 2022 target setting process took place last April and began with trendline projections based on the most recently available data at that time. Due to the unusual circumstances of the pandemic and its influence on VMT, calendar year 2021 projections were based on 2019, and the calendar year 2020 data was disregarded. From there, the calendar year 2022 projections are based on a 2.5% reduction in fatalities from calendar year 2021, resulting in 340 for the 5-year average of total fatalities and a fatality rate of 0.56 per 100,000,000 VMT. Mr. Klem stated that the overarching goal from MassDOT is to have zero fatalities, per the Vision Zero policy, but for the purposes of this reporting exercise required by FHWA, these are the numbers that have been created.

Next, Mr. Klem review serious injuries. MassDOT projections in this category are based on 2019 data as well. Calendar year 2022 has a projected target of 2,504 'Total Serious Injuries' at a rate of 4.11 per 100,000,000 VMT.

For Total Combined Non-Motorized Injuries and Fatalities, again because of fluctuations in the data, the calendar year 2021 projections were set equal to the average of calendar year's 2017, 2018, and 2019 data. MassDOT then estimated a 2% reduction for calendar year 2022, which comes out to 471 Total Combined Non-Motorized Injuries and Fatalities.

Mr. Russo proceeded to update MPO members on safety performance measure targets (PM1) in the Berkshires using the [Berkshire comparison handout](#). Mr. Russo mentioned total fatalities and the fatality rate has been steadily decreasing in the Berkshires, despite a slight uptick in the past two 5-year average reporting cycles. Calendar year 2021 shows a total of 10.5 fatalities with a fatality rate of 0.68 per 100,000,000 VMT for the 5-year average. Calendar year 2022 projects a total of 10.2 fatalities with a fatality rate of 0.64 per 100,000,000 VMT.

Next, total series injuries and rate in 5-year average cycles again show a declining trendline in the Berkshires. Following the trendline, calendar year 2021 shows a total of 52.1 total serious injuries at a rate of 3.42 per 100,000,000 VMT. For calendar year 2022, the projection for the Berkshires comes to 50.6 total series injuries with an injury rate of 3.24 per 100,000,000 VMT.

Lastly, Nonmotorized Combined Fatalities and Serious Injuries has fluctuated in Berkshire County. Calendar year 2021 and 2022 both project 11 non-motorized combined fatalities and serious injuries.

Mr. Russo concluded: The MPO can choose to adopt the statewide safety performance measures and targets or come up with their own. Staff recommend the MPO adopt statewide targets.

Mr. Duval asked whether MPO staff would be identifying dangerous intersections and roadways in specific communities, as has been done in the past?

Mr. Kus mentioned that MPO staff continue to monitor this data through the State's HSIP, guiding which intersections MPO staff examine and evaluate for safety countermeasures.

Mr. Duval asked whether there would be a presentation to review all the HSIP clusters and/or dangerous intersections/roadways in each Berkshire community?

Mr. Russo mentioned that a report could be prepared if the MPO is specifically interested in seeing the top HSIP clusters in the county.

Mr. Kus mentioned that staff typically provide and update on these areas when new data is available.

Mr. Lew asked if there has been any close examination of the underlying causes (or other factors) regarding the uptick in overall fatalities and in the combined non-motorized fatalities and injuries?

Mr. Russo mentioned all crashes that occur within Berkshire County have a report associated with them, describing external and internal factors contributing to an accident, injury, or damage to property. Lane departures are a big reason for crashes in the county, and lane departures can be caused by several factors. Staff could certainly dive more deeply into this data.

Mr. Kus added that in Berkshire County, inattentive driving is a big contributor to accidents as it is across the commonwealth, and the safety reports that staff prepare look at a range of accidents and causations and recommend countermeasures. Mr. Kus mentioned that staff will be reviewing this information during the upcoming summer and can bring this topic up again to the MPO during that time.

Mr. Morales asked if there was any indication that we would receive information on crash data for 2020?

Mr. Russo mentioned that when he first began compiling this data, 2020 numbers had not yet been released. Mr. Russo stated that he would go back and check to see if 2020 data has been updated.

Mr. Morales asked whether there was any expectation as to what that number might be?

Mr. Russo couldn't say.

Mr. Morales asked if there was any appetite among the MPO to select Berkshire specific targets for the non-motorized fatalities and injuries, and specifically, to set that target lower?

Mr. Lovejoy made the point that since this data is collected, it is useful for the MPO to look at and consider, but that the fatalities and injuries in Berkshire County, compared to the rest of the state, are very low. Mr. Lovejoy mentioned that since the county's numbers are so low, it doesn't take much more than a few anomalous incidents to skew the data and make it seem as though there is a significant increase. Adopting the statewide targets is more practical for the MPO for reporting purposes.

Mr. Mohler called for a vote – and reminded the MPO, just so everyone understands, that if the group wished to

adopt their own regional targets, Berkshire MPO staff will have to do the work of monitoring those performance targets, reporting them back to the state, and then defining why the region is not meeting those targets – if that is the case.

ACTION: Motion by Mr. Lovejoy, seconded by Mr. Boyle to adopt the statewide safety performance measure targets.

Mr. Kus conducted a roll call:

David Mohler – Yea
Francisca Heming – Yea
John Duval – Yea
Sheila Irving – Yea
Ricardo Morales – Yea
Zac Feury – Yea
Christine Hoyt – Yea
John Boyle – Yea
Kent Lew – Yea
Jim Lovejoy – Yea

VOICE VOTE: Motion carried unanimously.

VII. Status Reports from Member Agencies

Mr. Frieri provided a [brief update on District One projects to the MPO.](#)

VIII. Other Business

Mr. Kus mentioned that this past Thursday and Friday, the Surface Transportation Board held their hearing regarding CSX acquisition of Pan Am rail lines. Throughout that hearing, the Surface Transportation Board further encouraged the parties to come to a resolution on outstanding rail issues. CSX wants their acquisition to gain approval from the Surface Transportation Board, and they are working with all parties that have issues or needs. One such need is to get the Berkshire Flyer to proceed as a pilot program. That process appears encouraging, as CSX is taking steps to remove barriers that had previously been in place preventing the pilot from initiation. More information will be provided as it is made available.

Mr. Kus also mentioned the new round of Shared Streets and Spaces grant program is open and he encouraged communities to consider taking advantage of this program if they have project ideas in mind. Information about the Shared Streets and Spaces program along with eligible projects and project examples can be found [here](#).

Mr. Boyle asked if anyone at DOT had any insight into whether the department has leaned toward any decisions concerning the South Street and Housatonic Street intersection in Dalton – either improvements in the form of lighting, or the infamous roundabout.

Ms. Heming noted, to the best of her knowledge, DOT has not made any decisions and more meetings are needed between the parties to move forward.

Mr. Duval asked about the recent passage of the Infrastructure Investment and Jobs Act, and whether there have been any discussions on what projects that funding might support and what the process would be in dispersing monies.

Mr. Mohler stated that for transportation purposes, there are two types of funding in the infrastructure bill. There's funding that comes to the state via formula and then there is competitive, discretionary grant funding. The

funding that comes via formula is distributed through the MPO process to the MPO's and to the state. At the end of the month, DOT will be presenting to MARPA on how the department believes that money will flow to each of the MPOs as well as to the state. As an example, the bridge money that was announced last week is a formula program – the formula is provided to the state – the state will select the projects, and the state will then work with those MPO's to program projects in the appropriate regions. In February, the MPO will likely discuss how much more money is available to the MPO through the TIP process because of this legislation. On the discretionary side, FHWA and FTA will announce the availability of funding when the money is accessible. Each discretionary program will outline eligible projects/criteria – for which the appropriate parties would then apply for.

Mr. Duval asked if projects that would come through the MPO would be required to follow the TIP process?

Mr. Mohler stated this is Title 23 funding, meaning it comes with all the normal requirements – has to be programmed in the TIP, has to be selected through the TIP process, and has to be designed and constructed adhering to federal aid standards around 'build America' and 'buy America.'

IX. Next Meeting date – February 22, 2022

ACTION: Mr. Lovejoy motioned to adjourn, seconded by Mr. Boyle. Mr. Mohler adjourned the meeting at 4:47 p.m.

Materials Distributed:

- [Meeting Agenda](#)
- [Draft MPO November 23, 2021, Meeting Minutes](#)
- [Berkshire MPO FFY 2022-2026 Transit TIP 1st Amendment](#)
- [BMPO FY 2023-2027 TIP Tentative Schedule](#)
- [CY22 Safety Performance Measure Targets \(PM1\) Berkshire Comparison](#)
- [MassDOT CY22 Safety Performance Measure Targets \(PM1\)](#)
- [MassDOT District One TIP Projects Update](#)



UNITED STATES DEPARTMENT OF COMMERCE
Economic Development Administration
Washington, D.C. 20230

January 28, 2022

Mr. Kyle Hanlon
Chairman
Berkshire Regional Planning Commission
1 Fenn Street, Suite 201
Pittsfield, MA 01201

Dear Mr. Hanlon:

I am pleased to inform you that the U.S. Economic Development Administration (EDA) has approved the Berkshire Regional Planning Commission's request for designation as an Economic Development District (EDD). The EDD is comprised of the cities of North Adams and Pittsfield and the towns of Adams, Alford, Becket, Cheshire, Clarksburg, Dalton, Egremont, Florida, Great Barrington, Hancock, Hinsdale, Lanesborough, Lee, Lenox, Monterey, Mount Washington, New Ashford, New Marlborough, Otis, Peru, Richmond, Sandisfield, Savoy, Sheffield, Stockbridge, Tyringham, Washington, West Stockbridge, Williamstown, and Windsor of the Commonwealth of Massachusetts.

EDA is committed to providing financial assistance to meet the economic development needs of distressed communities throughout the United States. Our mission is to lead the federal economic development agenda by promoting innovation and competitiveness, preparing American regions for growth and success in the worldwide economy. To that end, this designation will serve as a foundation for future economic successes that will benefit both families and businesses in your region.

I trust that this designation will strengthen the economies of the Massachusetts region and wish you every success in carrying out your economic development activities. Debra Beavin, Economic Development Representative for Massachusetts, will remain your primary point of contact regarding this designation and may be contacted by telephone at (267) 559-3385, or by email at dbeavin@eda.gov.

Your ongoing efforts to stimulate growth and business expansion through local economic development programs are greatly appreciated.

Sincerely,

Alejandra Y. Castillo
Assistant Secretary of Commerce
for Economic Development



**MEMORANDUM OF OFFICIAL DESIGNATION OF
AN ECONOMIC DEVELOPMENT DISTRICT**

In accordance with Section 401 of the Public Works and Economic Development Act of 1965, as amended (42 U.S.C. § 3171), I hereby designate the Economic Development District identified below:

<u>Name of EDD:</u>	Berkshire Regional Planning Commission
<u>State:</u>	Massachusetts
<u>Regional Definition:</u>	The cities of North Adams and Pittsfield and the towns of Adams, Alford, Becket, Cheshire, Clarksburg, Dalton, Egremont, Florida, Great Barrington, Hancock, Hinsdale, Lanesborough, Lee, Lenox, Monterey, Mount Washington, New Ashford, New Marlborough, Otis, Peru, Richmond, Sandisfield, Savoy, Sheffield, Stockbridge, Tyringham, Washington, West Stockbridge, Williamstown, and Windsor.

Alejandra G. Castillo

Assistant Secretary of Commerce
for Economic Development



BRPC
Berkshire Regional Planning Commission

FOR RELEASE ON:
January 28, 2022

Contact: Thomas Matuszko, Executive Director

Phone: (413) 442-1521 x34

Email: tmatuszko@berkshireplanning.org

BRPC secures Economic Development District designation for Berkshire County

Berkshire County, MA – the U.S. Economic Development Administration (EDA) has approved Berkshire Regional Planning Commission's request for designation as an Economic Development District (EDD). District designation recognizes the region's demonstrated enthusiasm and competence in partnering with EDA to pursue the mutually held goals of regionally collaborative economic development work and innovation-driven economic growth. It also serves as the foundation for future economic successes that will benefit both families and businesses in the region.

The interdependence of a region helps to elevate its geographic proximity to one that justifies a District designation. "On a daily basis, Berkshire residents travel throughout the County to work, learn, shop, dine, and visit friends and family," said BRPC Executive Director Tom Matuszko. "This creates a tightly knit network of economic and personal interactions that extends over a much larger area than any single town."

Designations are reserved for regions with an EDA-approved Comprehensive Economic Development Strategy (CEDS). Berkshire Regional Planning Commission coordinates the development and updating of Berkshire County's CEDS on a five-year cycle, in partnership with a CEDS Strategy Committee. The current approved strategy spans 2017 through 2022, and the 2023-2027 CEDS will be developed this year.

Support for District designation from a majority of municipalities within the region is required, along with concurrence from the state – both of which were secured at the time the designation was requested by BRPC. Districts must also be of sufficient size, usually a county or multiple counties working together, in order to be able to foster economic development on a regional scale.

Designated District Organizations are expected to engage in and support the full range of economic development goals listed in their EDA-approved CEDS. These can include coordinating and implementing economic development projects, carrying out research and planning activities, serving in an advisory capacity to project proponents, and continuing to develop and update future CEDS planning documents for the region. BRPC will now be eligible for Partnership Planning investments by the EDA on an annual basis, which will help to support Economic Development work to benefit the entire county. Partial support of their staff efforts may begin as early as July of this year.

"We already work closely with EDA staff, shepherding impactful projects through their range of funding programs," said Laura Brennan, BRPC's Economic Development Program Manager. "We secured a substantial CARES Act grant to support this work, even before obtaining EDD status to become an official partner of the EDA. This designation and the

planning support it provides will allow us to keep offering those services well after our current grant period ends.”

Examples of projects identified in Berkshire County’s CEDS include the Berkshire Innovation Center a 20,000-square-foot, \$14 million life sciences/high technology workforce training and research and development center in Pittsfield, and Greylock Glen, which recently announced additional state funding for the construction of the Outdoor Center to house education, dining, retail, and other services for Glen visitors. BRPC is currently working with both of these projects to pursue additional funding through the EDA.

Impacts of the COVID-19 pandemic further exacerbated the effects of economic disruptions experienced by Berkshire County in recent decades, including the departure of major employers, and the impacts of the Great Recession. Other major obstacles include changing demographics, inadequate infrastructure, limited suitable land for development, and insufficient public transportation. However, the strong sense of regional identity combined with the increasingly coordinated efforts around economic development that helped lead to this designation, are positively impacting the economic landscape of the region.

More information about Berkshire County’s EDD designation can be found here:

<https://berkshireplanning.org/initiatives/economic-development-district/>

Berkshire Regional Planning Commission is the regional planning agency for Berkshire County, Massachusetts. BRPC assists the thirty-two Berkshire cities and towns in a diverse set of topics including community and economic development, housing, community planning, data and information services, emergency preparedness planning, environmental and energy planning, regional services, public health and transportation planning.

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January 25, 2022

Senator John F. Keenan
24 Beacon Street, Room 413-F
Boston, MA 02133

Representative William M. Strauss
24 Beacon Street, Room 134
Boston, MA 02133

Re. Support for H.3411: An Act Relative to Unpaved Roads
Via email: kirsten.centrella@mahouse.gov

Dear Chairmen Keenan, Strauss, and Members of the Joint Committee on Transportation:

Berkshire Regional Planning Commission (BRPC) supports H 3411, *An Act Relative to Unpaved Roads*. This legislation would establish a working group focused on collecting data on unpaved roads across the Commonwealth and evaluating safe and efficient maintenance and improvement practices for dirt and gravel roads. Within Berkshire County, town owned and private unpaved roads total 1008.6 road miles. These unpaved roads constitute 63% of total towns' road mileage in Berkshire County.

Berkshire County experience similar issues which other rural areas encounter with unpaved dirt roads. Safety is the largest concern; these roads are needed for emergency response and transporting children to/from school. Another similarity relates to inadequate funding to maintain the large quantity of road miles. Small towns do not have the funding necessary to maintain these roads and Chapter 90 funding remains inadequate to meet the needs of both paved and unpaved roads.



Photo: Jesse Costa/WBUR

Rural dirt roads are particularly vulnerable to the impacts from climate change. Rural dirt roads within the hilly regions of western Massachusetts are uniquely vulnerable to the effects of extreme precipitation and flooding events. Similarly, increasing temperatures and decreasing days below freezing create conditions (e.g., freeze-thaw) that challenge the financial resources and present safety hazards to rural Massachusetts Communities. Risks to public safety, strain on the



Town of Sandisfield

local economy, and disruptions to social cohesion within these communities are exacerbated by the vulnerability of rural unpaved roadways. While rural dirt roads are widely understood as an important cultural aspect of western Massachusetts communities, it is widely acknowledged that the effects of extreme storm events is placing additional burden on rural infrastructure, public services, and the environment.

BRPC supports the provisions of the legislation to establish a working group to identify and evaluate safe and efficient maintenance of unpaved roads.

Improving the condition of unpaved dirt roads will not only provide transportation benefits, but it can also assist with improving water quality and mitigating the effects of severe storms attributed to climate change as well as strengthening resiliency efforts.

Transportation planning staff from BRPC are willing to assist the working group in this important endeavor.

We encourage your strong support of H3411. Thank you.

Sincerely,

Thomas Matuszko, Executive Director

Cc. Representative Natalie Blais
Representative Smitty Pignatelli
Senator Adam Hinds