



BRPC

Berkshire Regional Planning Commission

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EXECUTIVE COMMITTEE MINUTES APPROVED

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