



BRPC

Berkshire Regional Planning Commission

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EXECUTIVE COMMITTEE MINUTES

Thursday, March 3, 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 4:02 pm.**

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

Sheila Irvin, Clerk, Pittsfield Delegate

René Wood, Commission Development Chair, Sheffield Alternate (left 5 pm)

Roger Bolton, Environmental Review Committee Chair, Williamstown Alternate

CJ Hoss, Regional Issues Committee Chair, Pittsfield Alternate

Kyle Hanlon, North Adams Delegate; At-Large

Sam Haupt, Peru Delegate; At-Large (left 5:14 p.m.)

Others Present: Joe Diver, Dalton Select Board Chair; Mary McGurn, Egremont Alternate; Christine Rasmussen, Stockbridge Alternate; Larry Parnass, The Berkshire Eagle; Melanie Glynn, Savoy Select Board; Sarah Satterthwaite Savoy Delegate (joined at 4:15); Sabrina Damms, iBerkshires; Ann Krawet, Becket Alternate

Staff Present: Thomas Matuszko, Executive Director; Marianne Sniezek, Office Manager; Kate Hill Tapia, Office Administrator; Emily Lange, Environmental & Energy Planner

II. **Approval Executive Committee Meeting February 3, 2022 Minutes**

Malcolm Fick moved to approve the minutes of the February 3, 2022 meeting. The motion was seconded by Roger Bolton and approved by roll call vote from John Duval, Malcolm Fick, Buck Donovan, Sheila Irvin, René Wood, CJ Hoss, Roger Bolton, and Kyle Hanlon. Sam Haupt abstained.

III. **Financial Reports**

A. **February Expenditures Report**

There were no questions or discussion about the report.

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

B. Accounts Receivable Report & Assessments

Tom reported that financials are in good shape.

C. Line of Credit Report

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

D. Other (For information only)

IV. Delegate & Alternate Issues

Roger pointed out that Sheila Irvin's name is misspelled in the MPO meeting minutes. BRPC staff will see that is corrected.

V. Items Requiring Action

A. Approval to Submit Grant Application to the Grants for Arts Projects program within the National Endowment for the Arts

After the fact approval was requested for the Executive Director to submit a grant application to the Grants for Arts Projects program within the National Endowment for the Arts and approve any resulting contracts and agreements. This grant application is titled Creative Compact for Collaborative and Collective Impact: Phase 4 - Cross-sector collaboration for creative placemaking Project. This is the 4th phase of an effort Mass College of Liberal Arts (MCLA) has been spearheading called the Creative Compact for Collaborative and Collective Impact (C4 Initiative). This Phase will link the arts to regional, cross-sector strategic plans for community development in Berkshire County, MA by: 1) creating career pathways for students in the arts and culture sector at Berkshire cultural organizations, 2) articulating connections between creative capacities and workforce skills in a student-hosted podcast series, 3) offering arts-integrated professional development mapped to social-emotional learning and culturally-responsive teaching approaches, and 4) aligning efforts across the cultural sector by engaging education and community engagement staff through continuous communication, and development of shared measurement practices.

BRPC has been engaged with the C-4 initiative previously and helped initiate it. In this phase, BRPC would serve as the fiscal agent. (A single entity may submit only a single application and MCLA had a prior application.) The amount requested is \$100,000. There is no BRPC match required. Staff lead is GIS, Data and IT Manager Mark Maloy.

René Wood moved to approve the submission of a grant application to the Grants for Arts Projects program within the National Endowment for the Arts and approve any resulting contracts and agreements. Sheila Irvin seconded the motion. It was approved by roll call vote from John Duval, Malcolm Fick,

Buck Donovan, Sheila Irvin, CJ Hoss, Roger Bolton, René Wood, Kyle Hanlon and Sam Haupt.

B. Approval of Comments on the Stretch Code Straw Proposal Presented by the Massachusetts Department of Energy Resources (DOER)

Approval was requested to submit comments to the Massachusetts Department of Energy Resources (DOER) on a straw proposal to modify the Stretch Energy Code. As part of the Green Communities Act of 2008, Massachusetts is required to update its building code every three years to be consistent with the most recent version of the International Energy Conservation Code (IECC). In 2022 the Board of Building Regulations and Standards (BBRS) plans to update the full set of building codes to the MA 10th edition based on the ICC 2021 model codes. This includes updating the base energy code to the IECC 2021 with MA amendments. DOER is proposing two updates. One update would be to the stretch energy code, essentially requiring greater energy efficiency. The second update would add an opt-in code that would require net zero new construction. The Regional Issues Committee (RIC) discussed this topic at its meeting on February 23. Comments prepared for that meeting, and since revised, were distributed the morning of this Executive Committee meeting.

Environmental & Energy Planner, Emily Lange, reviewed the letter's topics of fossil fuels, HERS ratings, and the definition of net zero. The Regional Issues Committee thinks the specialized opt-in code should be more ambitious than what is proposed. It should be easier for communities to ban fossil fuels (especially for new construction) and thereby spur technologies for cleaner energy sources.

Regarding HERS rating requirements, the RIC recommends 42 (instead of 51 on a scale of 0 to 100) to maximize the reduction of greenhouse gases (GHG), and that DOER continue to incentivize this option to ensure it remains cost effective. Roger suggested there be more explanation about what HERS stands for.

For the definition of Net Zero, the comment letter recommends that the code require buildings *themselves* to be net zero vs. relying on the grid to become so since that timeline is uncertain.

Roger Bolton moved to approve the submission of comments on the Stretch Code Straw Proposal presented by the Massachusetts Department of Energy Resources (DOER). René Wood seconded the motion.

Discussion centered on Kyle's comments that as communities adopt these changes, it will cause a stand-still. State regulations have made it harder for people to join the trades and existing technicians have a training gap in learning how to operate and repair new technologies. The burdens the code changes place on homeowners, manufacturers, and installers should be acknowledged and addressed. There are already not enough tradespeople for

energy efficiency work.

It was confirmed that if the stretch code is adopted, it automatically goes into effect. Maybe DOER should offer free training for technicians. Tom reported that the buzz at the statehouse is that the straw proposal doesn't go far enough to get Massachusetts to its environmental goals. He also confirmed that twenty of the thirty-two Berkshire communities have adopted the stretch code.

It was agreed that a friendly amendment would be accepted, and Emily will work with Kyle to change the wording of the letter.

The motion was approved by roll call vote from John Duval, Malcolm Fick, Buck Donovan, Sheila Irvin, CJ Hoss, Roger Bolton, René Wood, Kyle Hanlon, and Sam Haupt.

C. Approval of Salary Increases for FY 2023

The Executive Director requested approval to set the salary increase range for FY 2023. BRPC employees do not get automatic pay increases, such as an automatic step increase. Pay increases are based on performance, as documented in written performance evaluations. The following are the proposed increases for FY 2023 based on performance ratings for their performance in FY2022: Exceptional - 3%, Exceeds Expectations - 2%, Meets Expectations - 1%, Needs Improvement - 0%, Unsatisfactory - 0%. In addition, BRPC tries to prevent employees from losing ground financially from one year to the next due to factors in the national and international economies. To offset those economic factors, Tom proposed a base salary increase for each employee (pro-rated for new employees by start date and pro-rated for part-time employees) of \$3,500. This is based on data on the average annual increase in the cost of living.

Tom clarified that he proposes the dollar vs. percentage increase because it is more equitable since all staff experience the same increase in living costs. A percentage increase would have been very high for some employees. He is not sure if he would use this procedure in future years. Program Managers confirmed that their budgets can support these increases.

René noted that the cost of living percentage increase is about 5%. She suggested that BRPC's increases be positioned as a way to show gratitude to employees' efforts and avoid creating contention. Town officials are contending with salaries and it is difficult to find employees.

Roger asked how other communities are handling cost increases. Adams does cost of living increases, they do not offer merit pay increases. Other towns are meeting on their budgets now. It was discussed if it would be useful for BRPC to collect town salary information. BRPC asked other regional planning organizations what they were doing. It is hard to compare since each town and organization is different. For towns, health insurance is increasing 8%

which means a 2% increase for town employees.

René Wood moved to accept the recommendation for salary increases for FY 2023. Roger Bolton seconded the motion. They accepted John's amendment "pending available funds." It was approved by roll call vote from John Duval, Malcolm Fick, Buck Donovan, Sheila Irvin, CJ Hoss, Roger Bolton, René Wood, Kyle Hanlon, and Sam Haupt.

D. Approval to Submit Grant Application to the U.S. Environmental Protection Agency for Brownfields Revolving Loan Fund Supplemental Funding*

The Executive Committee was requested to authorize the Executive Director to submit a grant application to the U.S. Environmental Protection Agency to recapitalize the Berkshire Brownfields Revolving Loan Fund and to sign any resulting contracts and agreements. With recent loan activity involving Hoosac Valley Coal & Grain in Adams, the former Sun Dry Cleaner in North Adams, and Cooks Garage in Great Barrington along with expected future requests from Blackinton Backwoods in North Adams, Ried Cleaners in Great Barrington, the Eagle Mill project in Lee and one or more sites in Adams, BRPC needs additional funds in the loan pool in order to keep these important redevelopment projects moving forward. There is no BRPC Match. The staff lead on this project is Environmental & Energy Program Manager Melissa Provencher, mprovencher@berkshireplanning.org.

René Wood motioned to approve as presented that the Executive Director submit a grant application to the U.S. Environmental Protection Agency to recapitalize the Berkshire Brownfields Revolving Loan Fund and to sign any resulting contracts and agreements. Kyle Hanlon seconded the motion. It was approved by roll call vote from John Duval, Malcolm Fick, Buck Donovan, Sheila Irvin, CJ Hoss, Roger Bolton, René Wood, Kyle Hanlon, and Sam Haupt.

E. Salary Increases for FY 2023

Returning to this topic, René wanted to confirm if increases in staff salaries effective July 1 will be allowed by Transportation contracts. Tom does not know yet. He has to speak with the Mass DOT director and coordinate with the approach to other regional planning agencies. It is presented to staff as "pending Mass DOT" approval.

VI. Committee Reports

F. Comprehensive Economic Development Strategy Committee

The Comprehensive Economic Development Strategy Committee met on February 16, 2022. The main topics were the preparation of the five-year CEDS plan, reports on the work conducted through the CARES Act funding, Benchmarks work, technical assistance to municipalities and businesses, and resiliency planning. There was a presentation from 1Berkshire about the Regional Tourism Council and the marketing and promotion efforts through www.berkshires.org. There was also discussion about goals and objectives

for the new CEDS. Laura Brennan is working on a lot of data collection. The committee was unanimous on wanting more equity and inclusion goals. Draft unapproved meeting minutes were sent via email in the meeting materials.

G. Metropolitan Planning Organization (MPO)

The MPO met on February 23, 2022. The main agenda items were the development of the 2023-2027 Transportation Improvement Program and project evaluation scores and presentation on the IMPACT traffic safety portal. That site has a large amount of data. Draft unapproved meeting minutes were distributed.

The next meeting will address the Dalton Division Road project. Tom spoke with the Dalton town administrator today. A Selectmen from the town plan on attending the meetings. The purpose of the MPO is to get community input. That project is on the TIP.

H. Regional Issues Committee

CJ reported that there was an issue with the posting of the agenda so it was not an official meeting. Looking ahead to March 23, topics will include short term rentals and Williams College will share what they have learned about the limits of Berkshire County's energy grid as they have tried to reduce their carbon footprint. That will highlight the issue of how the nation will get the power needed to have electric vehicles and heat.

I. Other – none

VII. Executive Director's Report

A. Report on New Contracts/Agreements

New Grants and Contracts received/initiated 1/26/2022 to 2/25/2022

- Massachusetts Clean Energy Technology Center – EmPower - \$28,018
- Windsor – Master Plan - \$30,000
- Northampton Health Department – Comprehensive Opioid, Stimulant, and Substance Abuse Program - \$15,000
- Department of Public Health – Shared Services - \$55,022
- Williamstown – Open Space & Recreation Plan - \$15,000
- Department of Housing and Community Development - District Local Technical Assistance - \$214,214

Grants and Contracts not received.

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

B. Berkshires Tomorrow Inc. (BTI) Update

On behalf of Berkshires Tomorrow, the BTI Board approved acceptance of a \$1,000 charitable donation to the Berkshire County Substance Abuse Use Collaboration. The money was divided equally between five Support Groups and Recovery Centers (Beacon Recovery Community Center, Learn to Cope, George B Crane Memorial Center, Living in Recovery, Rural Recovery

Resources).

The BTI Board approved the Treasurer in FY2021, Malcolm Fick, to sign the Mass PC form and another Board member for BTI's 2021 tax return prepared by our accountant, Adelson & Company PC.

C. Staff Updates

- Morgan Ovitsky was hired as a part-time Public Health Project Specialist. (Resume was attached)
- Erin Jones has accepted a Public Health Planner position. (Resume was attached)

D. Proposed Legislation on Gravel Roads

H 3411, An Act Relative to Unpaved Roads, did not make it out of the Joint Committee on Transportation, yet. The reporting date was extended to Friday, March 25, 2022, pending concurrence, which means it might make it for a full vote this session. 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.

E. Rural Policy Advisory Commission (RPAC) Update

The Rural Policy Advisory Commission met on February 11, 2022. The main agenda items were a presentation by the MassBroadband Initiative, new requirements for multi-unit development, and MBTA communities and their impact on rural communities and legislative priorities. The presentation by MBI was especially informative as it documented the status of broadband deployment in previously underserved communities. Tom included that information in the meeting's materials.

F. The Massachusetts Statewide Climate Change Assessment

The Massachusetts Statewide Climate Change Assessment will evaluate risks of climate change to the Commonwealth, including public and private assets, natural resources, and human health and safety. The climate assessment will be a core component of the 2023 update to the State Hazard Mitigation and Climate Adaptation Plan (SHMCAP). Aligned with the SHMCAP, climate risks will be considered across five sectors: Human, Infrastructure, Natural Environment, Economy, and Governance. The primary objective of the assessment is to identify high urgency climate risks statewide, as well as by each region and sector. Risk rankings will be developed through discussions with the project working group and stakeholder groups. Upcoming discussions are March 8 at 11:30 am and March 9 at 6 pm. Register at [Meeting Registration - Zoom \(zoomgov.com\)](https://zoomgov.com)

G. Other (For information only)

VI. Old Business

A. Office Space Update

Work on BRPC's new office space has steadily progressed. The large windows along Fenn Street are almost all replaced. Most of the interior construction has at least been roughed in. Carpeting has been partially installed, and painting is completed in some sections. March 15 is the targeted occupancy date. The Public Health and Community Development Programs will move to the new space. The move will likely occur over several weeks as some staff will be shuffling around in the current space. Those areas will be cleaned before staff move into them.

Tom has continued to relax the requirement that staff work at least two days in the office. That will likely continue until the relocation of staff is complete. Effective Monday, February 28, 2022, fully vaccinated individuals (two shots and a booster) do not need to wear a face covering in the BRPC office. However, following DPH's guidance, Tom has advised fully vaccinated persons to wear a face covering if they have a weakened immune system, are at risk for severe disease because of age or an underlying medical condition, or if someone in their household has a weakened immune system and is at increased risk for severe disease or is unvaccinated. Individuals who are not fully vaccinated must continue to wear a face covering at all times in the BRPC office.

B. State Election Candidate Questions

Tom presented draft questions for statewide candidates for Governor, Lieutenant Governor, and Auditor. Topics include: Passenger Rail, Infrastructure, Education, Protected Lands, Transit, Housing, Climate Change Mitigation, Population Decline, and Regional Planning Agencies.

It was agreed that Tom may invite 1Berkshire and the Select Board Association to sign on and jointly invite the candidates to discuss their responses at a virtual meeting.

C. Other (For Information Only)

VII. New Business

A. In-Person Meetings

The law allowing virtual public meetings expires on July 15, 2022. With the steady decline in Omicron cases, many municipalities have returned to in-person meetings. BRPC may purchase a second OWL device to provide a better hybrid experience in the large conference room. Tom confirmed that pre-COVID if a quorum was present in-person, others could call in. The benefits of increased participation, not traveling in bad weather, etc., were pointed out. It was concluded that the Executive Committee will continue meeting virtually, and the March Commission meeting will be virtual. The May Commission meeting may be hybrid or in-person. It could be an open house to see the new office space too. John and Tom will confirm that plan.

CJ suggested that subcommittees continue to have hybrid meetings, especially if no quorum is needed. Roger agreed that virtual committee

discussions have been effective. Tom suggested that BRPC might recommend to the Legislature that some groups (City Councils) meet in person, and others continue virtually.

B. March Commission Meeting

The following agenda item is necessary:

- Committee membership update

The following agenda item has been suggested:

- Success stories of housing development projects

Other possible agenda items:

- Community reports on ARPA funding process/priorities
- Massachusetts Statewide Climate Change Assessment
 - Charging stations for electric vehicles is a possible topic. Transportation Planner Justin Gilmore has a presentation on that.

C. Other (For Information Only) - None

D. Adjournment

Kyle Hanlon motioned to adjourn the meeting at 5:27 pm, seconded by CJ Hoss, unanimously approved.

Attachments:

- Unapproved Minutes of February 3, 2021, Executive Committee Meeting
- February Expenditures Report
- February Receivables Report
- February Line of Credit Report
- Draft Unapproved Minutes of the February 16, 2022 Comprehensive Economic Development Strategy Committee
- Draft Unapproved Minutes of the February 22, 2022 Transportation / MPO
- Resume – Morgan Ovitsky
- Resume – Erin Jones
- MBI Broadband status
- Draft – Questions for Candidates