



BRPC

Berkshire Regional Planning Commission

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berkshireplanning.org

MEETING NOTICE

There will be a meeting of the
EXECUTIVE COMMITTEE
of the
BERKSHIRE REGIONAL PLANNING COMMISSION
Thursday, April 6, 2023 at **4:00 p.m.**

This will be a Hybrid Meeting. Participants may attend in person in the BRPC 2nd Floor Conference Room at 1 Fenn Street, Pittsfield MA or may attend virtually as allowed by Ch. 2 of the Acts of 2023 extending certain provisions of the Open Meeting Law, G.L. c.30 sec.20 until March 31, 2025.

To participate virtually join Zoom meeting at <https://us02web.zoom.us/j/3926128831>, Meeting ID: 392 612 8831, Phone: 646.558.8656, 301.715.8592, 312.626.6799, 669.900.9128

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

AGENDA (revised)

(all times approximate)

- I. Call to Order & Open Meeting Law Statement (4:00)
- II. Approval of Minutes of the Executive Committee Meeting of March 2, 2023* (4:05)
- III. Financial Reports (4:10)
 - A. February 24 to March 30, 2023, Expenditures Reports *
 - B. Accounts Receivable Report / Assessments
 - C. Line of Credit Report
 - D. Line of Credit Increase
 - E. Irrevocable Stand-By Letter of Credit
 - F. Other (For information only)
- IV. Delegate & Alternate Issues (4:20)
- V. Items Requiring Action* (4:25)
 - A. Approval of Surplus Inventory
 - B. Approval of Salary Merit Increase for FY 24
 - C. Approval of Personnel Pay Plan for FY24
 - D. Approval to Submit Grant Application to MassCEC's EMPOWER Innovation and Capacity Building Program
 - E. Approval after the Fact to Submit a Grant Application to USDA Urban Agriculture and Innovative Production (UAIP) program
 - F. Other (For information only)

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

- | | | |
|-------|---|--------|
| VI. | Committee Reports | (4:25) |
| | <ul style="list-style-type: none"> A. Environmental Review Committee B. Transportation Advisory Committee C. Regional Issues Committee D. Commission Development Committee E. Metropolitan Planning Organization F. Other (For information only) | |
| VII. | Executive Director's Report | (4:30) |
| | <ul style="list-style-type: none"> A. Report on New Contracts / Agreements B. Berkshires Tomorrow Inc. (BTI) Update C. Staff Update D. Rural Policy Advisory Commission (RPAC) Update E. Passenger Rail F. Open Meeting Law G. Retirement Legislation H. MassDOT Transportation Innovation Conference 2023 I. 120 Day Notification Waiver J. Other (For information only) | |
| VIII. | Old Business | (4:40) |
| | <ul style="list-style-type: none"> A. Personal, Family, and Medical Leave Policy* B. Other (For information only) | |
| IX. | New Business | (4:45) |
| | <ul style="list-style-type: none"> A. Utility Transmission Lines B. May Commission Meeting C. Other (For information only) | |
| X. | Adjournment | (4:50) |

Attachments:

- Unapproved Minutes of the March 2, 2023, BRPC Executive Committee Meeting
- February 24 to March 30, 2023 Expenditures Report
- Accounts Receivable Report
- March Line of Credit Report
- Executive Director's Memorandum
- Surplus Equipment - File Cabinets
- Personnel Pay Plan FY2024
- Resume – Michael Keegan, Outdoor Recreation Intern, Williams College
- DCR 120 Notice Waiver – Savoy
- Personal, Family, and Medical Leave Policy
- February Technical Assistance Memo

* Items Requiring Action



DRAFT EXECUTIVE COMMITTEE MINUTES

Thursday, March 2, 2023

Hybrid meeting as allowed by Ch. 22 of the Acts of 2022 suspending certain provisions of the Open Meeting Law, G.L. c.30 sec.20 until March 31, 2023.

I. Call to Order & Open Meeting Law Statement

A. The meeting was called to order at 4:04 pm.

Chair John Duval called the 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, Gt Barrington Alternate

Buck Donovan, Treasurer, Lee Delegate

Sheila Irvin, Clerk, Pittsfield Delegate

Roger Bolton, Environmental Review Committee Chair, Williamstown Alternate

Rene Wood, Commission Development Committee Chair, Sheffield Alternate

Sam Haupt, At-large, Peru Delegate

Others Present: Christine Rasmussen, Stockbridge; Leanne Yinger, Lanesborough; Brittany Polito, iBerkshires.

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

II. Approval of February 2, 2023 Minutes

Rene Wood moved to approve the February 2, 2023 meeting minutes. The motion was seconded by Malcolm Fick and approved by a roll call vote from John Duval, Malcolm Fick, Buck Donovan, Rene Wood, Sam Haupt, Roger Bolton, and Kyle Hanlon. Sheila Irvin abstained.

III. Financial Reports

A. January 27 to February 23, 2023 Expenditures Report

Sam Haupt moved to accept the report as presented, and Rene Wood seconded the motion. A roll vote approved it from John Duval, Malcolm Fick, Buck Donovan, Sheila Irvin, Sam Haupt, Rene Wood, and Roger Bolton.

B. Accounts Receivable Report/Assessments

Some payments were received.

C. Line of Credit Report

The cash balance is still good.

D. Line of Credit Increase

The line of credit increase is still in the works with the bank.

E. Other - none

IV. Delegate & Alternate Issues

Rene asked if BRPC members should be lobbying for one-touch legislation to increase broadband access and improve affordability. Tom will try to find someone to speak on this at the next Commission meeting on 3/16.

V. Items Requiring Action

A. Approval to Submit Grant Application to the Food Security Infrastructure Grant Program within the Massachusetts Executive Office of Energy and Environmental Affairs

The Executive Committee was requested to authorize the Executive Director to submit a grant application to the Executive Office of Energy and Environmental Affairs Food Security Infrastructure Grant (FSIG) and to sign any resulting contracts and agreements. This project would be a regional collaboration to assess the relationship between food insecurity programs and local food in Berkshire County, resulting in a plan for increasing community resilience through local food production and distribution. The total amount requested was \$50,000-100,000 to provide stipends to project partners and allow BRPC staff to lead the assessment and write the plan. There is no match requirement.

Rene Wood motioned to approve the grant application submission and authorization for the Executive Director to sign any resulting contracts and agreements; Malcolm Fick seconded it. A roll call vote approved it from John Duval, Malcolm Fick, Buck Donovan, Sheila Irvin, Sam Haupt, Rene Wood, and Roger Bolton.

B. Other (for information only) - none

VI. Committee Reports

A. Comprehensive Economic Development Strategy

The CEDS Committee met on February 15, 2023 and discussed public rollout activities for the CEDS and the required Annual Progress Report. Draft unapproved meeting minutes were included.

B. Regional Issues Committee

The Regional Issues Committee met on February 22, 2023 and discussed how to address challenges to filling municipal positions. A recent survey of Town Administrators and Managers collected twenty responses, confirming

that most positions are open 90-120 days. Draft meeting minutes were not yet available.

C. Metropolitan Planning Organization

The MPO met on February 28, 2023. The agenda featured some TIP developments and amendment-related items, a presentation, discussion, and action on Safety Performance Measure Targets, and an update on the development of the Regional Transportation Plan.

D. Environmental Review Committee

Roger reported that the committee is working on a MEPA review of electrical transmission line replacements affecting Florida, North Adams, and Adams. He made a motion asking approval for the Environmental Review Committee to submit the comments which are due before the next Executive Committee meeting. Rene Wood seconded the motion, which was approved by a roll call vote from John Duval, Malcolm Fick, Buck Donovan, Sheila Irvin, Sam Haupt, Rene Wood, and Roger Bolton.

E. Commission Development Committee

This committee will try to meet before the full Commission meeting on 3/16 to nominate a slate of officers for FY24.

VII. Executive Director's Report

A. Report on New Contracts/Agreements

New Grants and Contracts received/initiated from 1/27/2023 to 2/23/2023

- Cheshire – ADA Self-Evaluation and Transition Plan - \$25,000
- Lanesborough – ADA Self-Evaluation and Transition Plan - \$25,000
- Department of Environmental Protection - 319 Regional Coordinator Amendment - \$100,000
- Washington – Procurement Assistance - \$2,000
- Metropolitan Area Planning Council – Municipal Cybersecurity Services Pilot - \$60,000
- Department of Housing and Community Development - District Local Technical Assistance 2023 - \$214,214
- Berkshire County Boards of Health Association - Support Services - \$11,000
- New England Rural Health Association - Rural Vaccine Equity Initiative - \$75,000
- New England Rural Health Association - Root Cause Solutions Exchange - \$18,445
- Department of Housing and Community Development - District Local Technical Assistance Augmentation Program - \$142,809
- National Council on Aging – Covid-19 and Influenza Vaccine Uptake Initiative - \$105,849.12

Grants and Contracts not received.

BRPC is not aware of any grants and contracts not received.

B. Berkshires Tomorrow Inc. (BTI) Update

The BTI board approved the January 5, 2023 minutes and an agreement with Berkshire Taconic Community Foundation and other contracts to support the Berkshire Cultural Asset Network (BCAN) and their Arts Build Community Initiative.

C. Staff Update

Andrew McKeever started on 2/16 as a Community Planner. Open positions include Community Planner, Transportation Planner, and Public Health Inspector/Trainer.

D. Rural Policy Advisory Commission (RPAC) Update

The RPAC met on February 10, 2023. The main agenda items were a presentation about the Resilient Lands Initiative, a discussion about legislative and budgetary priorities, and a discussion about updating the Rural Policy Plan. The legislative priorities were included in the attachments.

E. Passenger Rail

- West-East Rail - The Special Commission to address West-East Passenger Rail governance and operations did not meet in February. Very limited information is available at [East-West Rail Commission \(malegislature.gov\)](#). [More information is at East-West Rail in Massachusetts – Trains In The Valley.](#)
- Berkshire Flyer - The Berkshire Flyer working group has been coordinating advertising efforts and trying to secure rental cars at the BRTA Intermodal system in anticipation of the Memorial Day start.
- Northern Tier Passenger Rail – No additional activity has occurred since the January 11, 2023 meeting. Limited information is available at [Northern Tier Passenger Rail Study | Mass.gov](#).

F. Open Meeting Law

The law extending remote or hybrid public meetings expires on March 31, 2023. Without legislative action, all public meetings would need to be in person. The House supplemental budget includes an extension to 2025.

The Massachusetts Association of Regional Planning Agencies (MARPA) prepared the following summary of proposed legislation:

Remote Meetings

Support - Rep. Driscoll (HD.911) and Sen. Gobi (SD.1247)

An Act relative to remote access for public bodies and town meetings would allow public bodies to continue conducting public meetings virtually without in-person attendance requirements and preserve these bodies' discretion over the format of their meetings (e.g., virtual, in-person, hybrid).

Oppose - Rep. Garlick (HD.3261) and Sen. Lewis (SD.2017)

An Act to modernize participation in public meetings. This bill would require that **all** public meetings be held in a hybrid format, except those granted a hardship waiver by the Office of the Attorney General. Elected public bodies would not be eligible for hardship waivers.

In addition, Senator Brownsberger filed Bill SD.2251 An Act relative to extending certain state of emergency accommodations, extending the current provisions until July 1, 2024.

G. CPTC Annual Conference March 18, 2023

The Citizen Planner Training Collaborative (CPTC) Annual Conference will be held at the Hogan Campus Center, Holy Cross College, Worcester, MA, fully in person.

H. MassDOT Transportation Innovation Conference 2023

The annual MassDOT Transportation Innovation Conference will be on May 2-3 at the DCU Center 50 Foster Street, Worcester. This conference provides a forum for innovative transportation systems, management ideas, and initiatives focusing on MassDOT's infrastructure investment. Register at [MassDOTInnovation.com](https://www.mass.gov/info-details/massdot-transportation-innovation-conference-2023). A limited virtual attendance option will be provided for some conference presentations and speakers.

I. Western & Rural Massachusetts SBA Conference April 1, 2023

Delaney House, Holyoke

J. Municipal Employment Opportunities

The Regional Issues Committee has been dealing with municipalities' hiring problems. BRPC has posted links to municipal pages under [Employment](#) on the website. Also, MMA has a series of webinars about recruitment and hiring practices.

K. Urbanized Area Designation

Previously we commented on the Census' change in urbanized areas designation delineations, concerned that those changes might result in Berkshire County losing designation and corresponding funding. Pittsfield retained that designation, although Adams was removed from the Pittsfield designation and included in the North Adams designation. Great Barrington lost the Urbanized Area designation due to population size. Two maps were in the materials, one of the 2020 Urban Areas and one comparing 2020 and 2010 Urban Areas. This will be a topic at the 3/16 Commission meeting.

L. Other (for information only) - none

VIII. Old Business

A. Employee Handbook

Tom asked for process guidance on sharing the compilation of employee policies into a consolidated handbook. The committee wants to review the

draft after it goes to the attorney; a Word version with the ability to "flip" between the latest version and seeing the comments and edits.

B. Other (for information only) - none

IX. New Business

A. Staff Training Opportunities

Given the challenges of an extremely tight labor market, Tom asked for a discussion about creating a new education and training program for new employees with no planning experience. Rene will send the policy Sheffield has for new police officers. It includes a contract with a several-year commitment and extendable probation periods to guarantee a return on the town's training investment.

B. March Hybrid Commission Meeting March 16

Agenda topics:

- One-touch legislation as a means to increase broadband access and improve affordability
- Urbanized Area Designation
- Meet with state legislators or their aides one at a time

C. Other

X. Adjournment

Sheila Irvin motioned to adjourn the meeting at 5:10 pm, seconded by Malcolm Fick, and unanimously approved by a roll call vote: John Duval, Malcolm Fick, Rene Wood, Buck Donovan, Sheila Irvin, Roger Bolton, and Sam Haupt.

Attachments:

- Unapproved Minutes of the February 2, 2023, BRPC Executive Committee Meeting
- January 27 to February 23, 2023 Expenditures Report
- Accounts Receivable Report
- February Line of Credit Report
- Executive Director's Memorandum
- Resume – Andrew McKeever
- Rural Policy Advisory Commission Legislative Priorities
- Screen Shot – BRPC Website re: Municipal Employment Opportunities
- Urban Area Maps (2)
- January Technical Assistance Memo

BERKSHIRE REGIONAL PLANNING COMMISSION

Check Register

For the Period From Feb 24, 2023 to Mar 30, 2023

<u>Check #</u>	<u>Date</u>	<u>Payee</u>	<u>Amount</u>	<u>Department</u>	<u>Department Description</u>	<u>Expense</u>
16784	3/1/23	1BERKSHIRE	6,885.00	637 EDA/COVIDRRP	EDA COVID-19 Regional Recovery Project	Subcontractor
16785	3/1/23	BADIE DESIGNS LLC	4,500.00	515 BUW/BLIC	Berkshire United Way - Berkshire Leadership Impact Council Berkshire Benchmarks	Subcontractor
16786	3/1/23	BLUE 20/20	142.92	040 ADMIN	Admin	Vision Insurance
16787	3/1/23	MARIE BRADY	26.13	---	Varied Projects	Expense Form
16788	3/1/23	LAURA CHRISTENSEN	400.00	637 EDA/COVIDRRP	EDA COVID-19 Regional Recovery Project	Subcontractor
16789	3/1/23	LESLIE DRAGER	50.00	284 BPHN/PHN	Berkshire Public Health Alliance - Regional Public Health Nursing Program	Expense Form
16790	3/1/23	ALLISON EGAN	31.83	516 FRCOG/EPP	FRCOG Emergency Preparedness Planning	Expense Form
16791	3/1/23	EDWARD FAHEY	124.02	283 BPHA/INSP	Berkshire Public Health Alliance - Regional Public Health Inspection Program	Expense Form
16792	3/1/23	CORNELIUS HOSS	47.82	696 LEE/MPOS RP	Lee - Master Plan/Open Space & Recreation Plan	Expense Form
16793	3/1/23	THE COOPER CENTER, LLC	570.00	040 ADMIN	Admin	Improvements
16794	3/1/23	SETH JENKINS	68.39	---	Varied Projects	Expense Form
16795	3/1/23	DAVID W KELLEY	995.00	040 ADMIN	Admin	Cleaning
16796	3/1/23	MIIA HEALTH BENEFITS TRUST	2,204.14	040 ADMIN	Admin	Dental Insurance
16797	3/1/23	MIIA HEALTH BENEFITS TRUST	49,460.84	040 ADMIN	Admin	Health Insurance
16798	3/1/23	COURTENY MOREHOUSE	99.65	---	Varied Projects	Expense Form
16799	3/1/23	MUTUAL OF OMAHA	643.69	040 ADMIN	Admin	Life: STD; LTD
16800	3/1/23	ANDREW OTTOSON	55.54	---	Varied Projects	Expense Form
16801	3/1/23	THE COOPER CENTER, LLC	8,636.10	040 ADMIN	Admin	Rent
16802	3/1/23	NED SAVISKI	174.45	---	Varied Projects	Expense Form
16803	3/1/23	NANCY SLATTERY	159.84	650 DPH/SS	Public Health Excellence for Shared Services Grant Program	Expense Form
16804	3/1/23	THE COOPER CENTER, LLC	2,863.22	040 ADMIN	Admin	Utilities
16805	3/1/23	VALLEY GREEN SHREDDING, LLC	35.00	040 ADMIN	Admin	Recycling
16806	3/1/23	KENNETH WALTO	25.20	545 DHCD/DLTA23	District Local Technical Assistance 2023	Expense Form
16807	3/7/23	VALERIE BIRD	155.63	650 DPH/SS	Public Health Excellence for Shared Services Grant Program	Expense Form
16808	3/7/23	MASS STATE BOARD OF RETIREMENT	9,728.12	---	---	Retirement
16809	3/7/23	NEW ENGLAND NEWSPAPERS, INC	5,373.40	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Communications
16810	3/7/23	CITY OF PITTSFIELD	425.00	040 ADMIN	Admin	Parking
16811	3/7/23	CHRISTOPHER SKELLY	250.00	696 LEE/MPOS RP	Lee - Master Plan/Open Space & Recreation Plan	Expense Form

BERKSHIRE REGIONAL PLANNING COMMISSION

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For the Period From Feb 24, 2023 to Mar 30, 2023

16812	3/7/23	ST JOSEPH CHURCH	930.00	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Space Rental
16813	3/7/23	ELIZABETH STRICKLER	2,866.67	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Subcontractor
16814	3/7/23	COLIN SYKES	209.82	650 DPH/SS	Public Health Excellence for Shared Services Grant Program	Expense Form
16815	3/7/23	TD CARD SERVICES	2,709.64	040 ADMIN	Admin	February 2023 Credit Card Payment (<i>see below</i>)
16816	3/7/23	WB MASON COMPANY INC	236.46	040 ADMIN	Admin	Supplies
16817	3/7/23	MACFARLANE OFFICE PRODUCTS, INC.	411.43	040 ADMIN	Admin	Printing
16818	3/16/23	BERKSHIRE COMMUNITY COLLEGE	2,300.00	652 DPH/SORPEC	Department of Public Health - Bureau of Substance Addiction - SOR-PEC	Subcontractor
16819	3/16/23	SARAH DEJESUS	225.00	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Subcontractor
16820	3/16/23	DONOVAN O'CONNOR & DODIG, LLP	210.00	716 EPA/RLF	Environmental Protection Agency Revolving Loan Fund	Legal Services
16821	3/16/23	FLYING CLOUD INSTITUTE	600.00	652 DPH/SORPEC	Department of Public Health - Bureau of Substance Addiction - SOR-PEC	Subcontractor
16822	3/16/23	GEORGE B CRANE MEMORIAL CENTER	22.99	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Subcontractor
16823	3/16/23	THE COOPER CENTER, LLC	1,557.00	040 ADMIN	Admin	Improvements
16824	3/16/23	THE COOPER CENTER, LLC	898.94	040 ADMIN	Admin	Improvements
16825	3/16/23	KIDZONE CHILD CARE EDUCATIONAL CENTERS	175.00	652 DPH/SORPEC	Department of Public Health - Bureau of Substance Addiction - SOR-PEC	Subcontractor
16826	3/16/23	MASS STATE BOARD OF RETIREMENT	10,293.90	---	---	Retirement
16827	3/16/23	MHOA	2,400.00	650 DPH/SS	Public Health Excellence for Shared Services Grant Program	Housing Seminar Registrations
16828	3/16/23	MIYARES AND HARRINGTON LLP	82.50	040 ADMIN	Admin	Legal Services
16829	3/16/23	MUTZ, ANN MARIE	1,000.00	646 DPH/MASSCALL3	DPH MASS CALL 3 - Substance Misuse Prevention	Subcontractor
16830	3/16/23	PITNEY BOWES BANK INC RESERVE ACCOUNT	1,000.00	040 ADMIN	Admin	Postage
16831	3/16/23	LINDSEY ROSA	1,095.00	720 NEA/MCLA	National Endowment for the Arts - Massachusetts College of Liberal Arts	Subcontractor
16832	3/16/23	KENDALL, SAMANTHA	225.00	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Subcontractor
16833	3/16/23	SHAMIA SHEPHERD	1,000.00	646 DPH/MASSCALL3	DPH MASS CALL 3 - Substance Misuse Prevention	Subcontractor
16834	3/16/23	TPX COMMUNICATONS	1,639.66	040 ADMIN	Admin	Telephone
16835	3/16/23	THE COOPER CENTER, LLC	2,767.37	040 ADMIN	Admin	Utilities
16836	3/16/23	VALLEY GREEN SHREDDING, LLC	35.00	040 ADMIN	Admin	Recycling

BERKSHIRE REGIONAL PLANNING COMMISSION

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For the Period From Feb 24, 2023 to Mar 30, 2023

16837	3/29/23	1BERKSHIRE	5,576.53	637 EDA/COVIDRRP	EDA COVID-19 Regional Recovery Project	Subcontractor
16838	3/29/23	AMERICAN PLANNING ASSOCIATION	502.00	040 ADMIN	Admin	Membership Dues
16839	3/29/23	BERKSHIRE COMMUNITY COLLEGE	4,881.89	623 BTI/BCETF/BRLISU	BTI/BCETF - Berkshire Remote Learning Support Initiative Support	Subcontractor
16840	3/29/23	BLUE 20/20	161.76	040 ADMIN	Admin	Vision Insurance
16841	3/29/23	LAMAR COMPANIES	4,250.00	606 BMC/PTSFA & 646 DPH/MASSCALL3	Varied Projects	Communications
16842	3/29/23	LANDLAW SPECIALTY PUBLISHERS	420.00	040 ADMIN	Admin	Subscriptions
16843	3/29/23	ANDREW MCKEEVER	132.02	040 ADMIN	Admin	Expense Form
16844	3/29/23	MHOA	1,800.00	650 DPH/SS	Public Health Excellence for Shared Services Grant Program	Housing Seminar Registrations
16845	3/29/23	ON A ROLL CAFE & CATERING CO	671.00	661 LEN/MVP	Lenox Municipal Vulnerability Plan	Subcontractor
16846	3/29/23	ANDREW OTTOSON	6.55	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Subcontractor
16847	3/29/23	DIANE PEARLMAN	600.00	637 EDA/COVIDRRP	EDA COVID-19 Regional Recovery Project	Subcontractor
16848	3/29/23	TOWN OF PERU	1,130.00	678 NERHA/RVE	New England Rural Health Association - Rural Vaccine Equity	Subcontractor
16849	3/29/23	TWO STATE YMCA INC	7,000.00	678 NERHA/RVE	New England Rural Health Association - Rural Vaccine Equity	Subcontractor
16850	3/29/23	UNIVERSITY OF CONNECTICUT	2,675.21	661 LEN/MVP	Lenox Municipal Vulnerability Plan	Subcontractor
16851	3/29/23	VALLEY GREEN SHREDDING, LLC	35.00	040 ADMIN	Admin	Recycling
16852	3/29/23	WB MASON COMPANY INC	962.41	040 ADMIN	Admin	Supplies
16853	3/29/23	MACFARLANE OFFICE PRODUCTS, INC.	407.88	040 ADMIN	Admin	Printing
16854	3/29/23	RAINBOW DISTRIBUTING COMPANY INC	45.56	040 ADMIN	Admin	Water
16855	3/29/23	BERKSHIRES TOMORROW, INC.	1,560.00	719 MIIA/CYBERS	MIIA Cyber Security	Reimbursement
1256	3/16/23	AK CONSTRUCTION	20,160.00	631 DAL/CDBG	Dalton - Community Development Block Grant	Subcontractor
1257	3/16/23	AK CONSTRUCTION	18,540.00	631 DAL/CDBG	Dalton - Community Development Block Grant	Subcontractor
1258	3/16/23	AK CONSTRUCTION	9,000.00	631 DAL/CDBG	Dalton - Community Development Block Grant	Subcontractor
1259	3/23/23	AK CONSTRUCTION	16,290.00	631 DAL/CDBG	Dalton - Community Development Block Grant	Subcontractor
1260	3/2/23	BARTLETT CONSTRUCTION	3,660.00	570 SHFNMBOTS/CDBG19	Sheffield, New Marlborough, Otis - Community Development Block Grant	Subcontractor
1261	3/2/23	CMV CONSTRUCTION SERVICES INC	6,570.78	570 SHFNMBOTS/CDBG19	Sheffield, New Marlborough, Otis - Community Development Block Grant	Subcontractor
1262	3/2/23	AK CONSTRUCTION	6,934.50	570 SHFNMBOTS/CDBG19	Sheffield, New Marlborough, Otis - Community Development Block Grant	Subcontractor

BERKSHIRE REGIONAL PLANNING COMMISSION

Check Register

For the Period From Feb 24, 2023 to Mar 30, 2023

1263	3/2/23	AK CONSTRUCTION	90.00	570 SHFNMBOTS/CDBG19	Sheffield, New Marlborough, Otis - Community Development Block Grant	Subcontractor
1264	3/2/23	AK CONSTRUCTION	5,300.00	570 SHFNMBOTS/CDBG19	Sheffield, New Marlborough, Otis - Community Development Block Grant	Subcontractor
1265	3/2/23	AK CONSTRUCTION	16,335.00	570 SHFNMBOTS/CDBG19	Sheffield, New Marlborough, Otis - Community Development Block Grant	Subcontractor
1266	3/2/23	AK CONSTRUCTION	6,023.00	570 SHFNMBOTS/CDBG19	Sheffield, New Marlborough, Otis - Community Development Block Grant	Subcontractor
1267	3/2/23	AK CONSTRUCTION	7,236.00	570 SHFNMBOTS/CDBG19	Sheffield, New Marlborough, Otis - Community Development Block Grant	Subcontractor
1268	3/2/23	AK CONSTRUCTION	8,610.21	570 SHFNMBOTS/CDBG19	Sheffield, New Marlborough, Otis - Community Development Block Grant	Subcontractor
1269	3/2/23	AK CONSTRUCTION	9,307.00	570 SHFNMBOTS/CDBG19	Sheffield, New Marlborough, Otis - Community Development Block Grant	Subcontractor
1270	3/29/23	BARTLETT CONSTRUCTION	7,290.00	570 SHFNMBOTS/CDBG19	Sheffield, New Marlborough, Otis - Community Development Block Grant	Subcontractor

Total 303,186.61

February 2021 Credit Card Charges

<u>Check #</u>	<u>Date</u>	<u>Payee</u>	<u>Amount</u>	<u>Department</u>	<u>Department Description</u>	<u>Expense</u>
CCARD	2/1/23	WB MASON COMPANY INC	17.28	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Supplies
CCARD	2/1/23	RADAR PROMOTIONS	700.00	646 DPH/MASSCALL3	DPH MASS CALL 3 - Substance Misuse Prevention	Supplies
CCARD	2/1/23	EMPLOYERS ASSOCIATION OF THE NORTHEAST	280.00	040 ADMIN	Admin	Staff Development - Bartley, K
CCARD	2/3/23	AMAZON.COM	0.28	040 ADMIN	Admin	Backup to Archive
CCARD	2/6/23	AMAZON.COM	42.21	040 ADMIN	Admin	Supplies
CCARD	2/7/23	WP FORMS	49.50	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Supplies
CCARD	2/9/23	CODE42	9.99	040 ADMIN	Admin	Computer Software
CCARD	2/9/23	NATIONAL CHILD PASSENGER SAFETY	95.00	653 BRPC/INSREB	BRPC Insurance Reimbursement - Covid-19	Training Course
CCARD	2/9/23	NATIONAL CHILD PASSENGER SAFETY	95.00	653 BRPC/INSREB	BRPC Insurance Reimbursement - Covid-19	Training Course
CCARD	2/9/23	NATIONAL CHILD PASSENGER SAFETY	95.00	653 BRPC/INSREB	BRPC Insurance Reimbursement - Covid-19	Training Course
CCARD	2/9/23	AMAZON.COM	18.99	040 ADMIN	Admin	Supplies

BERKSHIRE REGIONAL PLANNING COMMISSION

Check Register

For the Period From Feb 24, 2023 to Mar 30, 2023

CCARD	2/9/23	AMAZON.COM	15.98	040 ADMIN	Admin	Supplies
CCARD	2/9/23	AMAZON.COM	47.97	040 ADMIN	Admin	Supplies
CCARD	2/9/23	AMAZON.COM	9.97	040 ADMIN	Admin	Supplies
CCARD	2/9/23	EMPLOYERS ASSOCIATION OF THE NORTHEAST	125.00	040 ADMIN	Admin	Background Screening - McKeever, A
CCARD	2/10/23	AMAZON.COM	116.96	040 ADMIN	Admin	Supplies
CCARD	2/12/23	ZOOM VIDEO COMMUNICATIONS, INC.	40.00	040 ADMIN	Admin	Computer Software
CCARD	2/14/23	STRAIGHT TALK WIRELESS	37.66	040 ADMIN	Admin	Telephone
CCARD	2/16/23	PLANETIZEN	99.95	040 ADMIN	Admin	Job Advertisement - Community Planner
CCARD	2/16/23	AMAZON.COM	469.00	040 ADMIN	Admin	Supplies
CCARD	2/17/23	STAPLES	159.96	040 ADMIN	Admin	Supplies
CCARD	2/21/23	AMERICAN PLANNING ASSOC.	95.00	040 ADMIN	Admin	Staff Development - McKeever, A
CCARD	2/22/23	AMAZON.COM	18.94	040 ADMIN	Admin	Supplies
CCARD	2/24/23	CONSTANT CONTACT, INC	70.00	040 ADMIN	Admin	Newsletter Subscription

Total 2,709.64



GET



Bank
America's Most Convenient Bank®

Accounts

Current Balance
\$0.00

Available Credit	\$230,000.00
Amount Due	\$0.00
Payment Due Date	Apr 5, 2023

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: March 24, 2023
SUBJ: Agenda Items – April 6, 2023, Executive Committee Meeting

III. Irrevocable Stand-By Letter of Credit –

A standby letter of credit is a legal document that guarantees the TD bank's commitment for BRPC's bank accounts. The Federal Home Loan Bank of Pittsburg issues BRPC a stand-by letter of credit. The stand-by letter of credit is issued on a regular basis and changes based on our bank balances. In addition, FDIC insurance is in place for BRPC's interest bearing accounts of \$250,000 and another \$250,000 for BRPC's non-interesting accounts.

As of March 20, 2023, BRPC Stand-by letter of credit was \$2,737,737, plus the FDIC insurance of \$500,000 totaled \$3,237,727 enough to cover all our bank balances.

IV. Items Requiring Action

A. Approval of Surplus Inventory*

The Executive Committee is requested to approve the attached list of file cabinets as surplus inventory. According to BRPC policy, depending on the value and condition of equipment, surplus property is offered to the municipalities, then non-profits, then advertised for sale or offered to staff. Finally, if there is no interest, it is responsibly destroyed.

B. Approval of Salary Merit Increases for FY24

Approval is requested to set the salary merit increase range for FY 2024. 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 2024 based on performance ratings for their performance in FY 2023. These are similar to those over the past several years.

- Exceptional - 3%
- Exceeds Expectations - 2%
- Meets Expectations - 1%
- Needs Improvement - 0%

C. Approval of Personnel Pay Plan for FY 24

BRPC's personnel policies require, "A *comprehensive review of the Commission's salary structure will be performed no less often than every two years to insure that the agency remains competitive in both personnel recruitment and retention.*" The last review was in 2021, hence we have conducted a review of comparable salaries by positions. We believe most of our positions are generally in line with similar positions. We recommend, however, an adjustment to the ranges for most salaried positions by adding \$3,000 to the range and corresponding salary levels of individuals salaries. This amount was calculated approximately based on the annual cost of living increase over the last year, roughly 6%, of our lowest paid employee. We believe this increase would be a progressive increase, relatively impacting the lower paid employees the most. For hourly staff, the hourly rate would increase by \$1.65 ($\$3000 / 1820$ [yearly workable hours] hours.)

The Planner position, which is our most common entry level position, was the one position our salary range was not competitive. Based on a comparison of similar positions, to be competitive in the workforce, we recommend the Planner range increase by an additional \$5,749. This means that there would be a total increase of \$8,749 in the range.

Any merit increase would be based on the FY23 salary prior to the range adjustments.

Personnel Pay Plan – other recommended changes

- Office Manager position: - We recommend the Office Manager Position be eliminated. No one is in this position, and it has the same qualifications and pay range as Program Manager I. As much as possible we have tried to standardize positions based on work responsibilities.
- Grant Procurement Specialist, Housing Specialist and Planner positions: - In the Personnel Pay Plan Listing we have combined the Grant Procurement and Housing Specialist positions with the Planner Position as the level of responsibilities are similar and they are in the same pay ranges.
- Office Assistant I and Office Assistant II positions: - We recommend the elimination of Office Assistant I and Office Assistant II positions as these positions are no longer needed.
- Intern: – We recommend the hourly rate for an undergrad student increase to \$15.00 to comply with minimum wage of \$15.00

D. Approval to Submit Grant Application to MassCEC's EMPower Innovation and Capacity Building Program

The Executive Committee is requested to authorize the Executive Director to submit a grant application to the MassCEC EmPower Innovation and Capacity Building Program and to sign any resulting contracts and agreements.

Working with the City of Pittsfield, Berkshire Environmental Action Team, Berkshire Community College, and Berkshire Black Economic Council, BRPC

Energy and Environmental program staff are applying for \$50,000 to fund research and develop strategies to address issues stemming from a lack of contractors servicing the growing market of energy efficient and green technologies. Efforts will culminate with final report prepared for the Massachusetts Clean Energy Center containing an analysis of the current educational pathways, market conditions, and barriers effecting the education, training, and retention of qualified contractors who serve the Berkshire area. As well as a planned road map to develop a path forward with findings of a working group assembled under this grant comprised of local organizations doing related work.

MassCEC's expectation is that this Innovation and Capacity Building Grants will serve as "seed" funding for the planning of innovative program models or projects. BRPC will then apply for a workforce development grant of up to \$1,000,000.

This application has no BRPC match requirement. Primary staff contact for this grant submission is Energy and Environmental Planner, Sherdyl Fernandez-Aubert, sfernandez-aubert@berkshireplanning.org.

E. Approval after the Fact to Submit a Grant Application to USDA Urban Agriculture and Innovative Production (UAIP) program

The Executive Committee is requested to authorize the Executive Director, after the fact, to submit a grant application and sign any resulting contracts and agreements to the USDA Urban Agriculture and Innovative Production (UAIP) program.

The Pittsfield Agricultural Network planning project will conduct a collaborative, community-centered planning process to develop a food system of connection, security, and opportunity in Pittsfield, Massachusetts. The proposed project will provide the foundation to secure a) land access, b) market access for produce and products, and c) processing facilities that allow produce and products to be convenient, culturally appropriate, and price competitive.

The total amount requested is \$238,374.00. BRPC's staffing, indirect costs, and travel portion is \$82,843.00. There is no match required. Staff leads on this project Laura Brennan, Economic Development Program Manager, lbrennan@berkshireplanning.org, x14; and CJ Hoss, Community Planning Program Manager, choss@berkshireplanning.org, x44

F. Committee Reports

A. Environmental Review Committee

The Environmental Review Committee met on March 9, 2023. Comments on New England Power Company's E131 Asset Condition Refurbishment Project, EEA# 16663, were discussed and prepared. These comments were submitted as authorized by the Executive Committee due to a deadline. They were subsequently ratified by the Commission at the meeting on 4/16/23.

B. Transportation Advisory Committee

The TAC met on March 21, 2023. The main agenda item was discussion on the preliminary draft project listing and funding scenarios for the 2024 – 2028 Transportation Improvement Program. Draft meeting minutes are not available.

C. Regional Issues Committee

The Regional Issues Committee did not meet in March.

D. Commission Development Committee

The Commission Development Committee has a meeting scheduled for April 18, 2023. A main agenda item will be to establish a nominating committee to recommend a slate of officers for FY 24.

E. Metropolitan Planning Organization (MPO)

The MPO met on March 28, 2023. The agenda items included approval of two amendments to the 2023-2027 TIP, approval of the funding scenario for the 2024-2027 TIP, approval of the Performance Measure Tracking improvements related to road reliability and received an update about the Regional Transportation Plan. Draft minutes of the meeting are included.

F. Other (For information only)

V. Executive Director's Report

A. Report on New Contracts/Agreements

New Grants and Contracts received/initiated from 2/23/2023 to 3/30/2023.

- Cheshire Community Association – Cheshire Economic Development Planning - Phase 1 - \$10,000
- Monterey - MVP Action Grant Route 23 Culvert Replacement - \$28,550.50
- New England AIDS Education & Training Center - Community Research Initiative - \$8,500

Grants and Contracts not received.

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

B. Berkshires Tomorrow Inc. (B.T.I.) Update

There has been no recent activity.

C. Staff Update

- Interns 2023 through Williams College
 - Michael Keegan, Outdoor Recreation, (Resume attached).
- Open Positions: We have several open positions, including:
 - Community Planning positions
 - Transportation Planning position,
 - Public Health position.

D. Rural Policy Advisory Commission (RPAC) Update

The Rural Policy Advisory Commission did not meet in March. The big news related to rural communities was the Governor's announcement about the establishment of a position, the Director of Rural Affairs to represent rural issues across various state agencies.

E. Passenger Rail

- West-East Rail - The Special Commission to address West-East Passenger Rail governance and operations held two hearings in March in Northampton and Springfield. The March 31, 2023 deadline to prepare a report of findings and recommendations was extended to June 30, 2023.
- Berkshire Flyer - The Berkshire Flyer working group continues to coordinate and implement advertising efforts as well as trying to secure rental cars at the BRTA Intermodal system in anticipation of the Memorial Day start. There have been promising communications with Hertz car rental and Zipcar.
- Northern Tier Passenger Rail – There has been no additional activity since the January 11, 2023 meeting. Information is at, [Northern Tier Passenger Rail Study | Mass.gov](#).

F. Open Meeting Law

Governor Healy signed the supplemental budget bill that in addition to many significant spending authorizations extended certain pandemic-related authorizations that were set to expire on March 31 and April 1, as follows:

- Allows remote and hybrid meeting options for public bodies through March 31, 2025
- Allows remote and hybrid participation options for representative town meetings through March 31, 2025
- Permits reduced quorums for open town meetings through March 31, 2025
- Extends the expedited outdoor dining permit process and allows restaurants to offer to-go cocktails through April 1, 2024.

G. Retirement Legislation

At MARPA's (Massachusetts Association of Regional Planning Agencies) encouragement bills were filed, H2426 & S1682 with the Massachusetts legislature that would exempt regional planning agencies in the state retirement system from paying the agency contribution. These bills will receive a hearing from the Joint Committee on Public Service on Tuesday, April 4th at 10:00am. This will be livestreamed, [Hearing Details - Joint Committee on Public Service \(malegislature.gov\)](#) You will be able to watch the hearing via livestream on malegislature.gov. Written testimony may be provided until 5:00 pm April 11, 2023.

H. MassDOT Transportation Innovation Conference 2023

The annual MassDOT Transportation Innovation Conference will be held on May 2-3 at the DCU Center 50 Foster Street Worcester. This conference provides a forum for innovative transportation systems, management ideas, and initiatives. A specific focus of this year's conference will be on MassDOT's investment in infrastructure. Register at [MassDOTInnovation.com](#) A limited virtual attendance option will be provided for some conference presentations and speakers.

I. 120 Day Notification Waiver

I received and approved a 120-day notification waiver for the Department of Conservation and Recreation to potentially acquire an interest in approximately 110 acres in Savoy. A map is included that shows the location of the property.

J. Other (For information only)

VI. Old Business

A. Personal, Family, and Medical Leave Policy

Attached is the revised Personal, Family, and Medical Leave Policy. As was discussed at the last Executive Committee meeting, once we crossed the 50 employee threshold we must comply with the federal Family and Medical Leave Act (FMLA). In many ways our Family and Medical Leave Policy is better than the FMLA. However, the FMLA has some requirements our policy does not have. We are trying to retain our good parts, not remove any current benefits, and comply with FMLA.

Also as requested at the last meeting, I've included the track change document along with a cleaned up document with high-level explanatory comments. This document was reviewed by our attorney, who had a relatively few substantive comments, which have been included. We would like to have this policy approved to comply with the FMLA.

B. Other (For information only)

VII. New Business

A. Utility Transmission Lines

The discussion at the most recent Commission meeting about the Expanded ENF for New England Power's transmission line improvements ended with a suggestion that the Commission might want to prepare some comments to MEPA about the review process for transmission lines. These can be complex projects impacting many municipalities. The relatively short review process period may not be long enough for adequate review and consideration.

B. May Commission Meeting

The next Full Commission meeting is scheduled for May 18, 2023. Potential items required or previously mentioned include:

- Adoption of the FY 2024 budget
- Report of the Nominating Committee
- Regional Transportation Plan
- Possible "primer" on digital equity planning
- Cyber security
- Meet with legislators

C. Other (For information only)

Berkshire Regional Planning Commission
Surplus Property 03.31.23

Description - no lock unless stated
File Cabinet - tan 4 Drawer, HON
File Cabinet - tan 4 Drawer Global
File Cabinet - tan 4 Drawer HON
File Cabinet - tan 4 Drawer
File Cabinet - tan 4 Drawer Commander
File Cabinet - black 4 Drawer, legal size
File cabinet - dark grey 3 drawer
File cabinet - grey 2 drawer

PERSONNEL PAY PLAN
Berkshire Regional Planning Commission
FY 2024

Request for Approval Executive Committee 4.6.2023

COLA = Flat amount of \$3000									
SALARY Positions		2023	2023	2023	\$3000 or 3000/1820 = \$1.65 hourly	Additional change	2024	2024	2024
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	established by the Commission	established by the Commission			As established by the Commission	As established by the Commission	established by the Commission
Assistant Director	MA/MS + 5 years = 11 years	\$87,464	\$100,040	\$112,615	\$3,000	\$0	\$90,464	\$103,040	\$115,615
Program Manager II Directly supervise 2+ employees	MA/MS + 5 years = 11 years	\$79,601	\$93,094	\$106,587	\$3,000	\$0	\$82,601	\$96,094	\$109,587
Program Manager I Directly supervise <2 employees	MA/MS + 5 years = 11 years or BA/BS + 6 years = 10 years	\$72,097	\$84,441	\$96,784	\$3,000	\$0	\$75,097	\$87,441	\$99,784
Office Manager	BA/BS + 6 years = 10 years	\$72,097	\$84,441	\$96,784	\$3,000	\$0	\$75,097	\$87,441	\$99,784
Assistant Program Manager (Only for Programs with greater than 7 staff)	MA/MS + 4 yrs = 10 years	\$70,780	\$83,111	\$95,441	\$3,000	\$0	\$73,780	\$86,111	\$98,441
Principal Planner	MA/MS + 4 yrs = 10 years	\$58,930	\$71,142	\$83,354	\$3,000	\$0	\$61,930	\$74,142	\$86,354
Senior Planner	MA/MS + 2 yrs = 8 years	\$58,697	\$68,805	\$78,913	\$3,000	\$0	\$61,697	\$71,805	\$81,913
Planner/Grant & Procurement Specialist /Housing Specialist	MA/MS = 6 years or BA/BS + 2 years = 6 years	\$49,894	\$56,475	\$63,056	\$3,000	\$5,749	\$58,643	\$65,224	\$71,805
Grant & Procurement Specialist	MA/MS = 6 years	\$49,894	\$56,475	\$63,056	\$3,000	\$5,749	\$58,643	\$65,224	\$71,805
Housing Specialist	BA/BS + 2 years = 6 years	\$49,894	\$56,475	\$63,056	\$3,000	\$5,749	\$58,643	\$65,224	\$71,805
HOURLY Positions		2023	2023	2023	\$3000 or 3000/1820 = \$1.65 hourly	Additional change	2024	2024	2024
Associate Planner	BA/BS = 4 years	\$21.99	\$25.35	\$28.71	\$1.65	\$0	\$23.64	\$27.00	\$30.36
Program Associate (f/t)	AA = 2 years	\$17.85	\$20.53	\$23.20	\$1.65	\$0	\$19.50	\$22.18	\$24.85
Principal Finance Administrator	MA/MS = 4 yrs = 10 years	\$32.37	\$39.09	\$45.80	\$1.65	\$0	\$34.03	\$40.74	\$47.45
Finance Administrator	BA/BS + 2 years = 6 years	\$26.16	\$30.26	\$34.35	\$1.65	\$0	\$27.81	\$31.91	\$36.00
Finance Office Assistant	BA/BS + 1 years = 5 years	\$24.16	\$27.76	\$31.35	\$1.65	\$0	\$25.81	\$29.41	\$33.00
Office Administrator	BA/BS = 4 years	\$23.75	\$27.50	\$31.25	\$1.65	\$0	\$25.40	\$29.15	\$32.90
Office Assistant H	AA = 2 years + 2 yrs.	\$18.37	\$20.70	\$23.03	\$1.65	\$0	\$20.02	\$22.35	\$24.68
Office Assistant I	AA = 2 years	\$14.25	\$17.02	\$19.79	\$1.65	\$0	\$15.90	\$18.67	\$21.44
Intern (Pay TBD based on Qualifications)	Undergrad Student	\$14.25	\$14.87	\$15.49	\$1.65	\$0	\$15.90	\$16.52	\$17.14
Intern (Pay TBD based on Qualifications)	BA/BS/in 1 st yr of Grad School	\$15.02	\$15.29	\$15.56	\$1.65	\$0	\$16.67	\$16.94	\$17.21
Intern (Pay TBD based on Qualifications)	2 nd yr of Grad Sch/MA/MS	\$15.74	\$19.52	\$23.29	\$1.65	\$0	\$17.39	\$21.17	\$24.94
OFFSITE - HOURLY Positions		2022	2022	2022	\$3000 or 3000/1820 = \$1.65 hourly	Additional change	2024	2024	2024
Senior Planner (offsite)	MA/MS + 2 yrs = 8 years	\$38.93	\$43.27	\$47.60	\$1.65	\$0	\$40.58	\$44.92	\$49.25
Inspector - (offsite)	BA/BS = 4 years and/or special certifications	\$31.37	\$38.09	\$44.81	\$1.65	\$0	\$33.02	\$39.74	\$46.46
Housing Specialist - (offsite)	BA/BS = 4 years and/or special certifications	\$31.37	\$38.09	\$44.81	\$1.65	\$0	\$33.02	\$39.74	\$46.46
Project Specialist	Pay TBD based on Qualifications								
Senior Public Health Nurse	MSN or BSN + 4 years	\$39.00	\$41.00	\$43.00	\$1.65	\$0	\$40.65	\$42.65	\$44.65
Public Health Nurse	BSN + 2 years	\$32.00	\$33.50	\$35.00	\$1.65	\$0	\$33.65	\$35.15	\$36.65
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									
Effective January 1, 2023, the Massachusetts minimum wage is \$15.00 per hour									

Michael Keegan

He/Him/His -

Education

- Williams College** – Williamstown, MA – Class of 2025 Fall 2021 – Present
Bachelor of Arts, Prospective Environmental Studies and Comparative Literature Double Major, GPA: 4.00
- Coursework – Environmental Studies 231: Africa and the Anthropocene, Environmental Studies 102: Environmental Science, Comparative Literature 242: Americans Abroad, Comparative Literature 414: Coming of Age French Film
- Greenhills School** – Ann Arbor, MI – Class of 2021 Fall 2017 – Spring 2021
Valedictorian, GPA 4.04, History and Social Sciences Award Recipient, Head of School Award Recipient, Ty Compere Forensics Award Recipient

Skills and Certifications

- Proficient French Speaker, Reader, and Writer
- American Red Cross Lifeguard and Emergency Oxygen Certified
- Wilderness First Aid Certified

Employment Experience

- Williams College** – Incoming TA – ENVI 220: Field Botany – Williamstown, MA Starting Feb. 2023
- Williams College** – Hopkins Forest Caretaker – Williamstown, MA Sep. 2022 – Present
- Performed physically intensive labor to maintain a 2600-acre forest
 - Helped organize “Fall Festival,” an annual educational event catering to hundreds of residents and visitors
- Williams College** – Hiking PE Class Instructor – Williamstown, MA Sep. 2022 – Oct. 2022
- Planned class itineraries and led outings throughout Berkshire County
 - Developed PE programming to educate students about hiking and outdoor activity
- WEMU-FM - NPR News** – Newsroom Intern – Ypsilanti, MI June 2022 – Aug. 2022
- Composed news segments for local NPR radio. Work found at wemu.org/people/michael-keegan
 - Conducted research about pertinent local issues and interviewed community members
 - Received summer grant funding through the Williams College Alumni Sponsored Internship Program

Leadership Experience

- Williams Outing Club** – Board Member, “Mountain Day” Committee Member Mar. 2022 – Present
- Assisted the management of administration and finances for the largest student group on campus
 - Organized logistics and entertainment for a campus-wide holiday called “Mountain Day”
 - Oversaw public relations, website operations, and social media
- WCFM** – Radio Show Host Sep. 2021 – Present
- Created and developed a food-themed talk show called “Just One More Bite”
 - Curated diverse conversations centered around guests from the Williams College campus community
- Nyamboyo Technical School** – ESL Audio Lesson Producer and Actor Jan. 2022
- Performed and recorded relevant audio education for English language learners in Kenya
 - Coordinated group recordings and overcame technical difficulties
- Greenhills Forensics Team (Individual Public Speaking)** – Team Captain and Coach May 2019 – May 2021
- Team state champions 2021, individual state 2nd place informative speaking 2021
 - Coached middle school competitors and formally judged middle school competitions
 - Facilitated leadership transition between three different head coaches

Campus Involvement

- WOOLF (Williams Outdoor Orientation for Living as First Years) Leader, Williams Film Club Member

From: Thomas Matuszko
Sent: Friday, March 31, 2023 12:20 PM
To: Reynolds, Marguerite (DCR)
Cc: Soper, Jennifer (DCR)
Subject: RE: DCR Notice of Proposed Land Acquisition, 301 CMR 51, #P-001031, Town of Hawley and Town of Savoy
Attachments: Exhibit A.jpg

**120 DAY WAIVER STATEMENT
DCR #P-001031, Town of Savoy**

Pursuant 301 CMR 51.08(1)(b), I, Thomas Matuszko, Executive Director of Berkshire Regional Planning Commission, hereby agree to waive the 120 day notice period as required by said section as to a parcel of land of approximately 110+/- acres in the Town of Savoy, shown on Exhibit A attached hereto, in which the Department of Conservation and Recreation is considering acquiring an interest.

Thomas Matuszko, Executive Director
Berkshire Regional Planning Commission
1 Fenn St., Suite 201 | Pittsfield, MA 01201
413.442.1521 x34
tmatuszko@berkshireplanning.org
www.berkshireplanning.org

From: Reynolds, Marguerite (DCR) <marguerite.reynolds@state.ma.us>
Sent: Tuesday, March 21, 2023 10:50 AM
To: Thomas Matuszko <tmatuszko@berkshireplanning.org>
Cc: Soper, Jennifer (DCR) <jennifer.soper@state.ma.us>
Subject: DCR Notice of Proposed Land Acquisition, 301 CMR 51, #P-001031, Town of Hawley and Town of Savoy

Caution: This is an external email and may be malicious. Please take care when clicking links or opening attachments.

Dear Mr. Matuszko:

This email serves as a notice to you under 301 CMR 51.00. **Please reply to this email with the information requested below.**

The Commonwealth of Massachusetts, acting through its Department of Conservation and Recreation (DCR) has under consideration the acquisition of an interest in approximately 115 +/- acres of land, or other property interest therein, in the Towns of Hawley and Savoy. Of the total acreage, the locus includes 5 +/- acres in Hawley and 110 +/- acres in Savoy. The property is currently undeveloped forested land used for cordwood and outdoor recreation. The proposed use for the property will be protected open space managed as part of the abutting Dubuque Memorial State Forest for natural resource protection and outdoor public recreation. Attached is a locus map marked "Exhibit A" which shows the property in which DCR is interested.

The applicable regulations require that, 120 days prior to a purchase, an agency must notify certain public official of its proposed action. The notification is for informational purposes only. Should DCR decide to pursue this acquisition, it may be necessary to complete the transaction in less than the 120 day notice period. **We therefore ask that you agree**

to waive the 120-day notice period, and indicate your waiver by cutting and pasting the statement in the box below in a reply email to me:

120 DAY WAIVER STATEMENT

DCR #P-001031, Town of Savoy

Pursuant 301 CMR 51.08(1)(b), I, Thomas Matuszko, Executive Director of Berkshire Regional Planning Commission, hereby agree to waive the 120 day notice period as required by said section as to a parcel of land of approximately 110+/- acres in the Town of Savoy, shown on Exhibit A attached hereto, in which the Department of Conservation and Recreation is considering acquiring an interest.

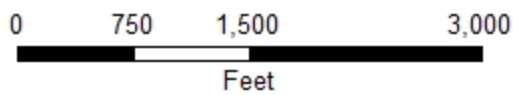
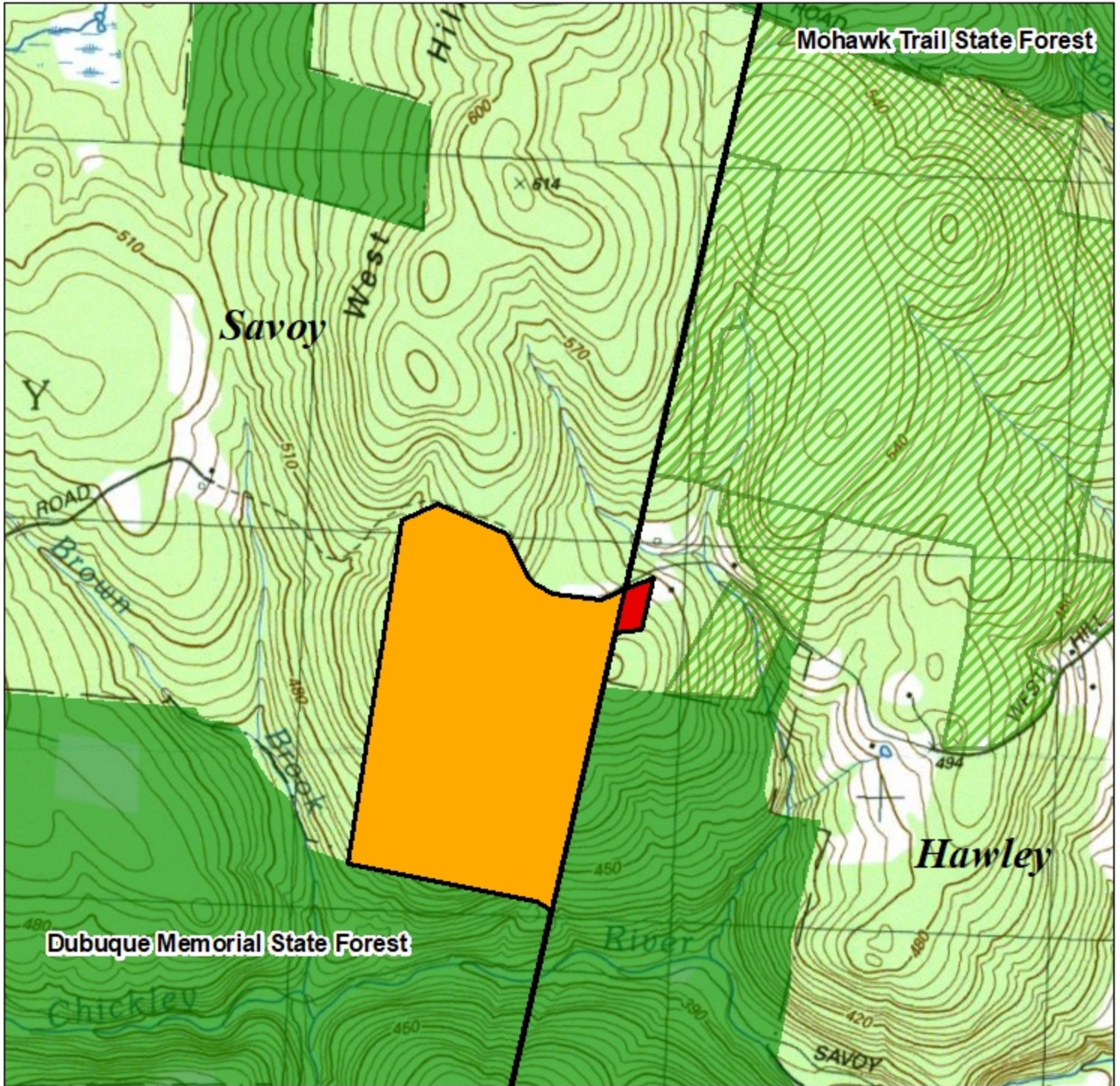
Should you have any questions regarding this matter, kindly contact Marguerite Reynolds at Marguerite.Reynolds@mass.gov. For your information, DCR has sent a similar notice to the Hawley Selectboard, the Savoy Selectboard, Senator Mark, Representative Barrett, Representative Blais, and the Franklin Regional Council of Governments. Thank you for your attention to this matter.

Best,
Marguerite



Marguerite D. Reynolds, Asst. Gen. Counsel
Department of Conservation and Recreation
251 Causeway Street, Suite 600-900
Boston, MA 02114-2104
617-626-1393 (direct)
617-626-1301 (fax)
Marguerite.Reynolds@mass.gov

Exhibit A



Legend

-  Savoy_Subject
-  Hawley_Subject
-  DCR-State Parks & Recreation
-  DCR Conservation Restriction
-  Town Boundary

Boundary Lines Approximate





BRPC

Berkshire Regional Planning Commission

1 Fenn Street, Suite 201
Pittsfield, MA 01201
T: (413) 442-1521 · F: (413) 442-1523
TTY: 771 or (800) 439-2370
berkshireplanning.org

MINUTES OF THE Berkshire Metropolitan Planning Organization (MPO) Tuesday, March 28, 2023

Meeting Held Via Zoom Video Communications

Meeting Materials: <https://berkshireplanning.org/event/metropolitan-planning-organization/>

MPO Representatives/Alternates Present:

Stephen Woelfel	MassDOT (Representing Secretary Gina Fiandaca)
Francisca Heming	MassDOT District 1 (Representing Highway Administrator Gulliver)
Christine Hoyt	North Subregion Delegate
Gordon Bailey	Southeast Subregion Delegate
Jim Lovejoy	Southwest Subregion Delegate
Michael Nuvalle	City of North Adams
John Duval	BRPC
Sarah Vallieres	BRTA

Others Present:

Peter Frieri	MassDOT District 1
Mark Moore	MassDOT District 1
Chris Klem	MassDOT OTP
Derek Krevat	MassDOT OTP
Anuja Koirala	BRPC
Clete Kus	BRPC
Nick Russo	BRPC
Mike Fisher	BL Companies

I. Call to Order – Introductions

Mr. Woelfel called the meeting to order at 4:00 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 February 28, 2023

ACTION: Ms. Hoyt introduced a motion, seconded by Ms. Heming, to approve the minutes of the February 28, 2023, MPO meeting.

Mr. Kus conducted a roll call:

Mr. Woelfel:	Yea
Ms. Heming:	Yea
Ms. Hoyt:	Yea
Ms. Vallieres:	Yea
Mr. Bailey:	Yea
Mr. Lovejoy:	Abstain
Mr. Nuvalle:	Abstain
Mr. Duval:	Abstain

IV. Approval of an amendment (2nd amendment) to the 2023-2027 TIP (Transit) and authorize the Chairman to sign the certification documents on behalf of the MPO members

Ms. Koirala proceeded to request authorization to certify the 2nd TIP Amendment following the public comment period. There were no public comments received.

ACTION: Mr. Lovejoy introduced a motion, seconded by Ms. Hoyt, to approve the 2nd TIP Amendment.

Mr. Kus conducted a roll call:

Mr. Woelfel: Yea
Ms. Heming: Yea
Ms. Hoyt: Yea
Ms. Vallieres: Yea
Mr. Bailey: Yea
Mr. Lovejoy: Yea
Mr. Nuvalle: Yea
Mr. Duval: Yea

V. Consideration of an amendment (3rd amendment: highway and transit) to the 2023-2027 TIP and authorize a 21-day public comment period

Ms. Koirala shared new cost figures for TIP Amendment #3, including bus purchases and the Pittsfield Ashuwillticook Rail Trail extension.

ACTION: Mr. Lovejoy introduced a motion, seconded by Ms. Hoyt, to approve the 3rd TIP Amendment and open a 21-day public comment period.

Mr. Bailey inquired about the change in cost for the Rail Trail extension. Mr. Frieri explained that the current cost is catching up with price increases that do not reflect the original price tag from the PRC approval several years ago.

Mr. Kus conducted a roll call:

Mr. Woelfel: Yea
Ms. Heming: Yea
Ms. Hoyt: Yea
Ms. Vallieres: Yea
Mr. Bailey: Yea
Mr. Lovejoy: Yea
Mr. Nuvalle: Yea
Mr. Duval: Yea

VI. Discussion on the development of the 2024 – 2028 Transportation Improvement Program and project evaluation scores

Ms. Koirala shared the 2024-2028 TIP funding scenarios and state prioritized projects. The Merrill Road (East St to Lyman St) project is slated to commence in 2024/2025 based on TIP readiness day evaluation.

There are two scenarios developed for the 2024-2028 TIP. Year 5 is the only difference between the two scenarios. In Scenario 1, the Dalton Division Road project would utilize AC construction between 2028-2029. Scenario 2 would not include AC for Dalton Division Road and the project would be completed in 2028.

Mr. Woelfel noted that it should not be a problem to utilize AC construction for Dalton Division Road, as long as the MPO is cognizant of the fact that a portion of 2029 TIP monies (amount currently unknown) will be spoken for. Mr. Bailey asked to clarify the extents of the Mount Washington Road project.

ACTION: Mr. Lovejoy introduced a motion, seconded by Mr. Bailey, to approve TIP funding Scenario 1.

Mr. Kus conducted a roll call:

Mr. Woelfel:	Yea
Ms. Heming:	Yea
Ms. Hoyt:	Yea
Ms. Vallieres:	Yea
Mr. Bailey:	Yea
Mr. Lovejoy:	Yea
Mr. Nuvallie:	Yea
Mr. Duval:	Yea

Ms. Koirala then proceeded to share STIP investments in Berkshire County for 2024-2028, including bridge projects.

VII. Discussion and action on Travel Time Reliability Performance Measure

Mr. Klem introduced the Performance Measure tracking requirement, which includes PM3 – reliability, congestion, and emissions. The Berkshire region only needs to vote on adoption of statewide reliability standards. LOTTR (Level of Travel Time Reliability) is based on the amount of time it takes to drive a length of road segment. The state will report the percentage of person-miles that are considered reliable. Trendlines for statewide reliability show a decrease in reliability out to 2026. A 2-year target of **74%** set in 2024 and **76%** in 2026 is proposed to establish an improving target.

Non-interstate travel time reliability has shown an increasing trend from 2017 to 2022. A 2024 target of **85%** and a 2026 target of **87%** is proposed to establish an improving target.

Truck Travel Time Reliability (TTTR) is reported on the state level and only on the interstate system. This metric is reported as an index rather than percentage. A trend of lowering the index is desired. An increasing trend is projected from 2022 to 2026. A 2024 target of **1.8** and a 2026 target of **1.75** is set to pursue continuing performance improvement.

Mr. Lovejoy asked what the impact on Berkshire resources is based on accepting and tracking the PM3 metrics. Mr. Krevat responded that there is not a big impact on the Berkshires from this metric. The intent is to keep a running metric and continue the conversation about reliability while still developing the full potential of these efforts based on a relatively new 2016 FHWA rule. Future CIP or STIP projects could be considered. The adopted targets will be noted in the TIP and RTP.

ACTION: Mr. Lovejoy introduced a motion, seconded by Mr. Bailey, for the MPO to adopt the targets for PM3.

Mr. Kus conducted a roll call:

Mr. Woelfel:	Yea
Ms. Heming:	Yea
Ms. Hoyt:	Yea
Ms. Vallieres:	Yea
Mr. Bailey:	Yea
Mr. Lovejoy:	Yea

Mr. Nuvalle: Yea
Mr. Duval: Yea

VIII. Update on the development of the Regional Transportation Plan

Mr. Russo shared components of the introduction to the RTP: Planning insights based on the data and trends from the Transportation Community Survey, high-level socio-economic trends in Berkshire County, and a draft vision statement for the overall RTP effort.

Mr. Lovejoy noted that a metric for income inequality would be a helpful way to better inform our priorities on budgeting for mass transit among other things.

IX. Status reports from Member Agencies

Mr. Frieri gave an update on MassDOT District 1 projects for the 2023 TIP. Most projects are at 100% design or advertised for bid. Several projects will need TIP amendments for cost increases. The New Marlborough bridge replacement project will likely be advertised in 2024.

Mr. Woelfel noted that the Transportation Innovation Conference agenda will be shared shortly.

X. Other Business

There was no other business.

XI. Next Meeting date – April 25th, 2023

The next MPO meeting will be held on April 25th, 2023.

ACTION: Mr. Lovejoy motioned to adjourn, seconded by Mr. Bailey. Mr. Woelfel adjourned the meeting at 5:04 p.m.

Materials Distributed:

- [Agenda](#)
- [BMPO January 24, 2023 Meeting Minutes – Draft](#)
- [BMPO FFY 2023-2027 TIP 1st and 2nd Amendment Transit](#)
- [BMPO FFY 2024-2028 Projects Evaluation Scores](#)
- [BMPO FFY 2024-2028 TIP Projects Description Sheets](#)
- [BMPO FFY 2024-2028 TIP Development](#)
- [BMPO FY 2024-2028 TIP Schedule](#)
- [UPDATED – Safety Performance Measures CY23](#)
- [Safety Performance Measures CY23 – Berkshire Comparison](#)
- [2024 RTP Preliminary Survey Results](#)
- [MassDOT District 1 TIP Projects Update](#)

Personal, Family, and Medical Leave Policy

Regional planning commissions are exempt from the Massachusetts Paid Family and Medical Leave Act in accordance with Massachusetts General Law (MGL c. 175M §10). Therefore, employees of BRPC are not entitled to paid leave under this Act. However, BRPC's Personal, Family, and Medical Leave (the "Policy") is meant to allow employees leave for personal, family, and medical reasons and comply with other applicable state and federal laws, including the Family and Medical Leave Act ("FMLA") (29 USC §2601 et seq.) and the Massachusetts Parental Leave Act (MGL c. 149 §105D).

Employee Eligibility

All benefitted BRPC employees are eligible for benefits pursuant to the Policy. This includes employees under the following classifications:

- Full-Time Permanent Employees: Employees who work the customary thirty-five (35) hours weekly and who maintain continuous employment status.
- Full-Time Offsite Flexible Schedule Employees: Employees who do not work a fixed schedule, do not work in the BRPC office and work no less than twenty (20) hours per week but no more than forty (40) hours per week.
- Full-Time Temporary Employees: Employees who work the customary thirty-five (35) hours weekly and who are hired for a limited period of time, up to a year.

Employees with questions about eligibility should speak with the Office Manager.

Leave Entitlements

Eligible employees will be allowed up to twelve (12) weeks of leave during a benefit year for any one or more of year period for the following reasons:-

Parental Leave: for the purpose of giving

- The birth of a child or to care for bond with a newborn or newly placed adopted child (leave must be taken within the first year of birth.)

- 4• The placement of a child for adoption or foster child who is under eighteen (18) years of age or under twenty three (23) years of age if care or to bond with a recently placed child (leave must be taken within the child is mentally or physically disabled. first year of placement.)

Family Member Health Leave: to

- 2• To care for an immediate covered family member (spouse, child, parent, sister, brother, grandparent, grandchild, parent-in-law or domestic partner or other member of the employee's household) with a with a qualifying serious health condition.-

Personal Health Leave: to

- 3• To care for thean employee's own qualifying serious health condition- that makes them unable to perform the employee's job.

- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

A qualifying serious health condition is defined as an illness, injury, impairment, physical condition, or mental condition that involves in-patient care at a hospital, hospice, or residential medical or other health care facility or continuing treatment by a health care provider.-

Covered family members under this policy include spouse, domestic partner, child, parent, grandchild, grandparent, parent-in-law, or sibling. "Parent" includes those who stand in *loco parentis*. In loco parentis means an individual who has taken on the role of a parent with day-to-day responsibilities to care for or financially support a child (ex: an aunt or uncle raises a child instead of their parents).

In addition, eligible employees can take up to 26 weeks of leave in a fiscal year to care for a covered Armed Forces service member with a serious injury or illness. The employee must be the service member's son, daughter, spouse, parent, or next of kin. The "next of kin" of a current servicemember is the nearest blood relative, other than the current servicemember's spouse, parent, son, or daughter, in the following order of priority:

1. a blood relative who has been designated in writing by the servicemember as the next of kin for FMLA purposes
2. blood relative who has been granted legal custody of the servicemember
3. brothers and sisters
4. grandparents
5. aunts and uncles
6. first cousins

Spouses who are both benefitted employees of BRPC are limited to a combined total of 12 weeks of leave in the following situations: the birth of or with a child, the care of or bonding with a newly placed foster or adopted child, and the care of a parent with a serious health condition.

Employees may use unused vacation, sick, compensatory time ~~or~~, floating holiday time ~~to~~, holiday time, short- or long-term disability benefits, if applicable, to cover any approved Personal, Family, and Medical Leave ~~or Short term disability~~. If the amount of leave granted exceeds the available balances, the difference shall be leave without pay.-

If ~~long-term disability~~ an employee on leave receives benefits ~~are received~~ under the Commission's BRPC's Short-Term or Long-Term Disability Insurance Policy, unused vacation, plan, they may simultaneously use sick and vacation accrual balances, compensatory time, holiday time, or floating holiday available balances may ~~not~~ be applied to the period during which those benefits are paid.-

~~Massachusetts law restricts the total amount of leave to eight weeks in total in the event that two parents are employed by the same employer-~~

~~Employees shall direct all questions concerning this benefit to the Executive Director or Office Manager.-~~

~~B. Notice Requirement~~

~~Family and Medical Leave must be requested in writing to the Executive Director. Employees shall make every~~

~~effort to request this time to supplement the leave at least two weeks in advance or as soon as practicable if the delay in providing notice is for reasons beyond the individual's control. BRPC asks individuals to try and schedule health care appointments and treatments so as to minimize disruption to the Commission's operations. If the Commission agrees to provide leave for longer than 8 weeks, 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 8 weeks will result in denial of reinstatement or loss of other rights and benefits.~~

~~When a female employee becomes pregnant, she shall furnish the Commission with a certificate from her physician stating the expected date of her delivery. She may continue to work so long as her physician certifies that she is able to do so. Accommodations such as light duty assignments may be granted to pregnant employees when positions are available. In case of leave for the birth or placement of a child under age 18, or under age 23 if child is mentally or physically disabled, employees should request the leave at least two weeks in advance or as soon as possible.~~

~~C. Intermittent or Alternative Work Schedules~~

Reduced Schedule or Intermittent Leave

~~Leave does not have to be taken all at once. Based on the requirements of the medical treatment, employees requesting family Personal, Family, and medical leave Medical Leave may request ~~to take the leave~~ intermittently as a series of shorter leaves over an extended period ~~of time or may arrange for or~~ an alternative work schedule ~~that has with~~ reduced hours ~~and is modified frequently to accommodate the needs of the employee.~~ ~~The Commission may.~~ BRPC may require employees who ~~seek work~~ an intermittent or alternative work schedule to ~~transfer temporarily~~ transfer to another position ~~which that~~ can better accommodate recurring periods of leave than the employee's regular position, ~~provided that the.~~ The alternative position is must be of equivalent status ~~and provides with~~ equivalent pay and benefits. ~~Granting intermittent~~ Intermittent or alternative work schedules is are at the ~~option discretion~~ of the Executive Director.~~

~~D. Medical Certification Requirement~~

~~If leave is taken on an intermittent or reduced schedule basis, the number of leave hours an eligible employee is entitled to is calculated by the average number of hours in the employee's work week. For example, an employee working an average of 25 hours a week would be entitled to 300 hours of leave (25 hrs./wk. x 12 weeks = 300 hours), while a full-time employee would be entitled to 420 hours (35 hrs./wk. x 12 weeks = 420 hours).~~

Leave Requests and Certifications

~~If leave is reasonably foreseeable, employees must give two weeks in advanced notice of the need for Personal, Family, and Medical Leave. If advanced notice is not possible, the Office Manager must be notified as soon as possible. BRPC asks individuals to try and schedule health care appointments and treatments to minimize disruption to BRPC operations.~~

~~A leave request form must be filled out and given to the Executive Director and the Office Manager. Additional documentation may be required.~~

~~Leave for a qualifying serious illness requires a medical certification - completed by a health care professional. The information on a medical certification may only relate to~~

~~An application for leave based on the serious health condition for which the employee or a family member must also be accompanied by a medical is seeking leave. The certification statement completed by must include the applicable contact information for the health care provider, when the health condition began, and how long the serious condition is expected to last. The certification must state the date on which the health condition commenced, the probable duration of condition, and the appropriate medical facts regarding the condition. If the employee has a serious health condition, the certification must state that the employee cannot perform the~~

~~essential functions of his/her/their job. If the employee is needed to care for an immediate family member, the No certification must so state and include an estimate is required for leave requested for childbirth or to bond with a newborn, adopted, or foster child. BRPC reserves the right to request a confirmation of the amount of time family relationship.~~

~~Within 5 days of the original request for leave, the employee will be needed provided with an Eligibility Notice which states if the leave qualifies as Personal, Family, and Medical Leave or why it does not. If the employee is eligible for Personal, Family, and Medical Leave, a Rights and Responsibilities Notice will also be sent.~~

~~E.~~

Employee Benefits During While on Leave

~~The Commission will maintain health, life and disability insurance coverage for employees on paid leave under this policy at the level and under the same conditions that the employee would enjoy if not on leave, provided that the employee continues to pay the employee portion of the benefits. At their option, employees may choose to cancel their health and life insurance coverage while on approved family and medical leave, however, they should note that there are Group Insurance Commission restrictions and requirements for reinstatement upon return to regular duty.~~

~~Regular payroll deductions will continue if the approved family leave is with pay and the employee chooses to continue coverage. If the leave is without pay, the employee will be billed for the monthly premium. Employees who fail to return to work following the leave will be required to reimburse the Commission for the employer share of health insurance premiums during the family leave, unless the failure to return is due to the continuation, recurrence or onset of a serious health condition.~~

~~An employee on unpaid leave is not entitled to the accrual of any seniority or employment benefits that would have accrued if not for the taking of leave. An employee who takes family or medical leave will not lose any seniority or employment benefits that accrued before the date leave began.~~

F. Reinstatement Following Leave

~~Employees on leave are entitled to reinstatement to the same or equivalent position with equivalent pay, benefits, and other terms and conditions of employment as they held before going on leave. The Commission cannot guarantee that an employee will be returned to his/her original job.~~

~~The Commission shall not be required to restore an employee on family or medical leave to their previous or a similar position if other employees of equal length of service and status in the same or similar position have been laid off due to economic conditions or other changes in operating conditions affecting employment during the period of such family or medical leave.~~

G. Return

~~Health coverage and other benefits the employee has chosen will continue while the employee is on leave. If the leave is paid, employee contributions to healthcare premiums and other benefit deductions will be taken as payroll deductions, as they are when the employee is not on leave. If the leave is unpaid, the employee is still responsible for their portion of the monthly health care premiums and can pay BRPC by check. BRPC will send the employee a bill, the balance is due within 30 days. If this payment is more than 30 days late, BRPC reserves the right to discontinue the employee's healthcare coverage. A notice of intent to drop coverage will be mailed no less than 15 days before coverage ends. Additionally, BRPC may seek repayment, in accordance with the law, for all premium contributions made on the employee's behalf if~~

they fail to return to work at the end of approved leave. The Rights and Responsibilities Notice will provide the terms and conditions of benefits payment during leave.

Employees have the right to cancel their health coverage while on leave. They will be eligible to enroll in coverage upon their return to work as a benefited employee. Returning from leave is a qualifying event to re-enroll in health coverage there is no need to wait for open enrollment.

The employee must use their accrued time to maintain a 17.5 hours per week average to continue adding time toward retirement benefits with the Massachusetts Public Retirement System while on leave. Monetary contributions to the retirement system will continue if any of the leave is paid. If the leave is unpaid, the leave time will not be counted toward retirement benefits and no monetary contribution will be taken.

Vacation and sick accruals will continue while on leave if the leave is paid. Weekly hour minimums must be met according to the employee's work hour requirement to continue accrual at their current rate; otherwise, accruals will be prorated during leave. If the leave is unpaid, vacation and sick accruals will cease until the employee returns to work or changes to paid leave.

Employees will not lose seniority or accrued time (except as used to provide paid leave) because of taking leave.

Returning from Leave-

Employees will be restored to the same or equivalent position they had before taking leave. The equivalent position will be virtually identical in terms of pay, benefits, and other employment terms and conditions. Employees, however, are not guaranteed to be restored to their position upon returning if the position was subject to layoffs.

Any benefits to which the employee was entitled to before taking leave will be reinstated in the same manner and at the same level upon their return; this includes but is not limited to seniority and accrued time that was not used during leave. Employees are entitled to any unconditional pay increases or bonuses that occur while the employee is on leave.

Employees on leave are responsible for keeping the Executive Director and the Office Manager informed of their status and expected return to work.

Employees must provide a written Fitness for Duty Certification (if applicable) and a written Notice of Intention to Return from Personal, Family or Medical Leave at least five (5) working days prior to the employee's planned return before they can return to active status.-

The failure of Accommodations that allow an employee returning from medical leave to perform the essential functions of their position will be provided in accordance with federal, state, and local laws.

An employee who fails to return to work upon the expiration of a family or medical leave of absence granted pursuant to this Policy will be subject to immediate termination unless an extension or reasonable accommodation is granted. An employee who requests may request an extension of family leave or medical leave accommodation due to the continuation, recurrence, or onset of his/her own serious health condition, or of the serious health condition of an immediate household member, must submit a request of any qualifying reason. An extension request must be submitted in writing, to the Executive Director. Approval is subject to the same. A request for a reasonable accommodation must be made to the Executive Director. Where applicable, extension requests require another medical certification requirements stated above completed by a healthcare professional. This written request should be made as soon as the employee realizes that he/she will be not able to they cannot return at the expiration originally anticipated end of the leave.

Consultation of Employees on Leave

Employees on leave period-

~~Consistent with Federal, State and local laws, the Commission will make reasonable accommodation to those employees returning from a medical leave of absence who require such accommodation to allow them to perform the essential functions of their job.~~

H. Consultation of Employees on Family or Medical Leave-

~~Employees on family or medical leave may be consulted during the duration of the leave in order to keep them informed and for them to provide information necessary in order to continue Commission operations.~~

~~It is the responsibility of employees on family or medical leave to keep the Executive Director informed regarding their status, any complications, and expected return to work no less than once per month during the duration of their leave. may have information necessary for the Commission operations and may occasionally be contacted during leave simply to provide quick information for continuity of operations; such contact will be made as a last resort for continuity of operations. They may also be provided with status updates to ensure a smooth transition to active status upon return from leave. For that reason, please ensure that BRPC has updated contact information prior to going on leave.~~



MEMORANDUM

TO: Delegates and Alternates,
Berkshire Regional Planning Commission

FROM: Thomas Matuszko, Executive Director

DATE: March 31, 2023

RE: **February 2023 Assistance Activities**

This report highlights technical assistance provided by BRPC staff for February 2023. This assistance was in response to requests identified in the Board/Organization column. If available and permitted by the funding agencies, responses were supported by local assessment or grant funds. This report aims to inform municipal officials about how local assessment funds are used and indicate the types of local and technical assistance BRPC can provide. If assistance may be useful to your community, please feel free to contact us for details.

Town/City/ State	Municipal Technical Assistance	Board/Organization
Adams	Review Howland Ave plans	Community Development Department
Cheshire	Map of zoning and BioMap3	Planning Board
Cheshire	Reviewed zoning bylaws and map	Planning Board
Clarksburg	Update zoning map	Town Administrator
Sheffield	Scenic Mountain Act Map	Conservation Commission
Tyringham	Master Plan information	Planning Board
Washington	Procurement and contract preparation	Select Board
West Stockbridge	Complete Streets survey draft and report, Tier 2 template update.	Department of Public Works