



BRPC

Berkshire Regional Planning Commission

1 Fenn Street, Suite 201
Pittsfield, MA 01201
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TTY: 771 or (800) 439-2370
berkshireplanning.org

MEETING NOTICE

There will be a meeting of the
EXECUTIVE COMMITTEE
of the
BERKSHIRE REGIONAL PLANNING COMMISSION
Thursday, January 4, 2024 at **4:00 p.m.**

This will be a virtual meeting 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 the Zoom meeting at
<https://us02web.zoom.us/j/87147316378?pwd=VzdRTjIMUmEycGtHVmRqZ1A3Wit4QT09>
Meeting id: 871 4731 6378, Passcode: 293665 Phone: 646.558.8656, 646 931 3860,
312.626.6799, 301 715 8592

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

(all times approximate)

- I. Call to Order & Open Meeting Law Statement (4:00)
- II. Roll Call of Executive Committee Members Attending the Meeting
- III. Vote to Approve Minutes of the Executive Committee Meeting of December 7, 2023* (4:05)
- IV. Financial Reports (4:10)
 - A. Vote to Approve the December 1, 2023, to December 27, 2023, Expenditures Report*
 - B. Report on the Accounts Receivable/ Assessments – December 2023
 - C. Report on the Line of Credit
- V. Comments from Berkshire Regional Planning Commission Delegates and Alternate Delegates (4:15)
- VI. Items Requiring Action* (4:20)
 - A. Vote to Approve Changes to the BRPC Personal, Family, and Medical Leave Policy to Allow for a Paid Leave Option*
 - B. Vote to Approve Submission of a Grant Application to the Rural Health Network Development Planning Program in the Health Resources and Administration (HRSA) Federal Office of Rural Health Policy*
 - C. Vote to Approve Entering into a Contract with the Metropolitan Area Planning Council Related to the Massachusetts Department of Conservation and Recreation MassTrails Grant Program

City and Town Clerks: Please post this notice pursuant to the Open Meeting Law, MGL c. 30A, §§ 18-25.

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

- VII. Committee Reports and Discussion (4:40)
A. Regional Issues Committee
B. Finance Committee
- VIII. Executive Director's Report (4:45)
A. Report on New Contracts / Agreements
B. Berkshires Tomorrow Inc. (BTI) Update
C. Staff Updates
D. Rural Policy Advisory Commission (RPAC) Update
E. Passenger Rail
F. Farmland Action Plan
G. Economic Development Plan
H. Blueprint: Building the Foundation for Recovery
- IX. Old Business (4:50)
A. Comments on the Massachusetts Internet for All Plan
- X. New Business (4:50)
A. Discussion about the January Commission Meeting
- XI. Adjournment (5:00)

Attachments:

- Unapproved Minutes of the December 7, 2023, BRPC Executive Committee Meeting
- December 1, 2023, to December 27, 2023, Expenditures Report
- Accounts Receivable Report – December 2023
- Line of Credit Report
- Executive Director's Memorandum
- BRPC Personal, Family, and Medical Leave Policy draft
- Clean Energy Transmission Working Group Draft Report Comments
- FY2023 Summary of the Auditor's Results,
- FY2023 Statement of Revenues, Expenditures and Changes in Fund Balances
- FY2023 Audit Management Letter
- Unapproved Minutes of the December 14, 2023 BRPC Finance Committee Meeting
- Jocelyn Latvalla Resume
- Broadband Equity, Access, and Deployment (BEAD) comments
- November Technical Assistance Memo
- October Technical Assistance Memo Revised
-

* Items Requiring Action



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DRAFT EXECUTIVE COMMITTEE MINUTES

Thursday, December 7, 2023

Virtual meeting 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.

I. Call to Order & Open Meeting Law Statement

Chair Malcolm Fick called the meeting to order at 4:01 p.m. as a virtual meeting 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. He stated that BRPC was recording the meeting, and anyone else who wanted to record it needed to inform him.

II. Roll Call:

Read by Office Administrator Kate Hill Tapia:
Malcolm Fick, Chair, Gt Barrington Alternate
John Duval, Vice-Chair, Adams Alternate – a little late
Sheila Irvin, Clerk, Pittsfield Delegate
Buck Donovan, Treasurer, Lee Delegate
Doug McNally, Commission Development Committee, Chair, Windsor Delegate
Roger Bolton, Environmental Review Committee Chair, Williamstown Alternate
Christine Rasmussen, Regional Issues Committee Chair, Stockbridge Alternate
Kyle Hanlon, At-large, North Adams Delegate
Sam Haupt, At-Large, Peru Delegate

Staff Present: Thomas Matuszko, Executive Director; Marianne Snizek, Office Manager; Kate Hill Tapia, Office Administrator; Laura Brennan, Assistant Director, and Economic Development Program Manager

For part of the meeting:

Andrew McKeever, Community Planner; Laura Kittross, Public Health Program Manager; Lydia Shulman, Berkshire Public Health Alliance Coordinator; Melissa Provencher, Environmental & Energy Program Manager

Others: Jimmy Citizen, GB (left early); James 84 North Pl, Great Barrington;

III. Approval of November 2, 2023 Minutes

Sam Haupt moved to approve the November 2, 2023 meeting minutes. The motion was seconded by Sheila Irvin and approved by a roll call vote from Malcolm Fick, Sheila Irvin, Buck Donovan, Doug McNally, Roger Bolton, Christine Rasmussen, Kyle Hanlon, and Sam Haupt.

IV. Financial Reports

A. October 19 to November 30, 2023 Expenditures Report

Doug McNally moved to accept the report as presented, and Roger Bolton seconded the motion. A roll vote approved it from Malcolm Fick, Sheila Irvin, Buck Donovan, Doug McNally, Roger Bolton, Christine Rasmussen, Kyle Hanlon, and Sam Haupt.

B. Accounts Receivable Report/Assessments November 2023

Nearly all of the over ninety invoices have been paid.

C. Line of Credit Report

It has not been used.

V. Comments from Berkshire Regional Planning Commission Delegates and Alternates

Buck Donovan noted that CJ Hoss, Community Planning Program Manager, is helping the Lee Planning Board with their Master plan and "has been incredible" providing useful information.

VI. Items Requiring Action

A. Vote to Approve Submission of a Grant Application to the Executive Office of Technology Services and Security's Municipal Cybersecurity Awareness Grant Program

The Executive Committee was asked to authorize the Executive Director to submit a grant application and sign any resulting contracts and agreements to the Massachusetts Executive Office of Technology Services and Security's Municipal Cybersecurity Awareness Grant program. Through this grant, BRPC would gain access to free cybersecurity training for all employees in 2024. Mark Maloy, GIS, Data, and IT Manager, is the BRPC contact.

Tom noted that this program is also available to municipalities.

Sam Haupt motioned to approve submitting a grant application to the Massachusetts Executive Office of Technology Services and Security's Municipal Cybersecurity Awareness Grant program for free cybersecurity training for BRPC employees in 2024. Doug McNally seconded it. A roll vote approved it from Malcolm Fick, Sheila Irvin, Buck Donovan, Doug McNally, Roger Bolton, Christine Rasmussen, Kyle Hanlon, and Sam Haupt.

B. Vote to Approve Changes to the BRPC Personnel Pay Plan to Add a Public Health Social Worker Position and Change the Pay Range of the Public Health Nurse Position

The Executive Committee was requested to approve changes to the BRPC Personnel Pay Plan to add a Public Health Social Worker position and change the pay range of the Public Health Nurse Position. The Social Worker position is salaried and funded via grants and vaccine insurance funds. An increase in the pay range for the Public Health Nurse Position is necessary to keep pace with the market.

Dough McNally motioned to approve changes to the BRPC Personnel Pay Plan to add a Public Health Social Worker position and change the pay range of the Public Health Nurse Position. Roger Bolton seconded it. A roll vote approved it from Malcolm Fick, John Duval, Sheila Irvin, Buck Donovan, Doug McNally, Roger Bolton, Christine Rasmussen, Kyle Hanlon, and Sam Haupt.

C. Vote to Submit Comments on the New England Power Company – E131 Asset Condition Refurbishment Project, Draft Environmental Impact Report (DEIR), Adams, North Adams, Florida, and Monroe to the Massachusetts Environmental Policy Act Office (MEPA)

The Executive Committee was asked to authorize the Executive Director to submit comments to MEPA on the Draft Environmental Report (DEIR) on the E131 Asset Condition Refurbishment Project in Adams, North Adams, Florida, and Monroe, submitted by the New England Power Company, based on the Environmental Review Committee's review. The Project seeks to upgrade existing electrical utility infrastructure and construct improved roadways by which the transmission line can be accessed. The draft comments were in the meeting materials.

Roger Bolton, Environmental Review Committee Chair, explained that this is a major construction project and NE Power's response to concerns has been unsatisfactory and general, such as saying that they are "working" on wetlands mitigation plans. One of the concerns is increasing capacity as reliance on electricity increases to meet climate goals. He also explained the review process. Tom pointed out that due to changes a few years ago, many fewer projects are under MEPA's review, and the process is very long.

Roger Bolton motioned to authorize the Executive Director to submit comments to MEPA on the Draft Environmental Report (DEIR) on the E131 Asset Condition Refurbishment Project in Adams, North Adams, Florida, and Monroe submitted by the New England Power Company. Sam Haupt seconded it. A roll vote approved it from Malcolm Fick, John Duval, Sheila Irvin, Buck Donovan, Doug McNally, Roger Bolton, Christine Rasmussen, Kyle Hanlon, and Sam Haupt.

D. Vote to Approve Comments on the NSTAR WT-02 Transmission Right-of-Way Reliability Program (TRRP) Project, Draft Environmental Impact Report (DEIR), Hancock, Lanesborough, Cheshire, Dalton, and Hinsdale to the Massachusetts Environmental Policy Act Office (MEPA)

The Executive Committee was asked to authorize the Executive Director to submit comments to MEPA on the Draft Environmental Report (DEIR) about the NSTAR WT-02 Transmission Right-of-Way Reliability Program (TRRP) Project), Hancock, Lanesborough, Cheshire, Dalton, and Hinsdale submitted by the NSTAR dba Eversource Energy. The Project seeks to improve system reliability by reducing the number of tree fall-in risks in the Right of Way and creating a sustainable environment comprised of vegetation that can safely

coexist with the transmission lines. A draft Environmental Review Report was in the meeting's supplemental material. The draft comments were distributed at the meeting.

Roger pointed out that Eversource is the proponent and has been very responsive, including donating to Berkshire Natural Resources Council for abutting land acquisition and using technology for research to reduce the number of trees that need to be cut.

Roger Bolton motioned to approve the comments on the NSTAR WT-02 Transmission Right-of-Way Reliability Program (TRRP) Project to MEPA. Doug McNally seconded it. A roll vote approved it from Malcolm Fick, John Duval, Sheila Irvin, Buck Donovan, Doug McNally, Roger Bolton, Christine Rasmussen, Kyle Hanlon, and Sam Haupt.

E. Vote to Approve Comments on the Massachusetts Internet for All Plan to the Massachusetts Broadband Institute

The Executive Committee was asked to authorize the Executive Director to submit comments to the Massachusetts Broadband Institute on the Massachusetts Internet for All Plan. The plan has two elements and is the blueprint for how the Commonwealth will spend Bipartisan Infrastructure Law funds.

BRPC is working with fourteen municipalities on Digital Equity Plans, which will be required to access some grant funds. Wylie Goodman, Senior Economic Development Planner, prepared the distributed draft comments on the State Digital Equity Plan (SDEP) element. Comments on the second element, Broadband Equity Access and Deployment Proposal (BEAD), are in progress. The plan and related documents can be accessed at Massachusetts Internet for All Plan | MBI ([masstech.org](https://www.masstech.org)).

Doug McNally motioned to approve the comments on both elements of the Massachusetts Broadband Institute's Massachusetts Internet for All Plan. Roger Bolton seconded it. A roll vote approved it from Malcolm Fick, John Duval, Sheila Irvin, Buck Donovan, Doug McNally, Roger Bolton, Christine Rasmussen, Kyle Hanlon, and Sam Haupt.

VII. Committee Reports and Discussion

A. Finance Committee

The Finance Committee met on November 13, 2023 and agreed to present a 2.5% increase in FY 2025 Assessments for approval at the full Commission meeting. Draft unapproved minutes were in the packet. There is another meeting scheduled for December 14 at 4:30 p.m.

B. Commission Development Committee

The Commission Development Committee, led by new Chair Doug McNally, met on November 16, 2023. Engaging Delegates and Alternates was discussed, including visiting Select Board meetings of the communities that

do not participate in the Commission. Connecting Economic Development efforts to Housing and Transportation was discussed as a focus for FY 2024. Draft unapproved minutes were in the packet.

C. Environmental Review Committee

The Environmental Review Committee met on November 27, 2023 and discussed the New England Power Company - E131 Asset Condition Refurbishment Project, Draft Environmental Impact Report (DEIR), Adams, North Adams, Florida, and Monroe and voted to submit comments to Massachusetts Environmental Policy Act Office (MEPA). The committee's general practices and the need to revise the outdated procedures document were discussed. Draft minutes were not yet available. There was also a virtual meeting on December 5, 2023 to discuss the NSTAR WT-02 Transmission Right-of-Way Reliability Program (TRRP) Project, Draft Environmental Impact Report (DEIR), Hancock, Lanesborough, Cheshire, Dalton, and Hinsdale.

D. Metropolitan Planning Committee

The MPO met on November 28, 2023. The main topics were to approve an amendment to the Transportation Improvement Plan (TIP) for a 21-day public comment period, an administrative adjustment to the UPWP, a presentation on Title VI report corrections, a discussion on the request to change the Urbanized Area Boundary to include Great Barrington, a report on Safe Streets and Roads for All work, and an update on BRTA route changes and additions. Access to driver training is a barrier to route expansion; several options are being pursued. BRTA is offering free rides through 12/31. Draft minutes were not yet available.

E. Regional Issues Committee

The Regional Issues Committee met on November 29, 2023. Discussion continued about energy policy in Massachusetts, especially solar development, including related House and Senate bills. Meetings start at 3:30 p.m., and Senator Mark's staff member is participating. Draft minutes were not yet available.

VIII. Executive Director's Report

A. Report on New Contracts/Agreements

New Grants and Contracts received/initiated from 10/24/2023 to 11/30/2023.

- New Marlborough – Open Space and Recreation Plan - \$25,000
- Lanesborough – Stormwater Management - \$9,207.79
- Cheshire – Stormwater Management - \$6,509.70
- Housatonic Valley Association - Berkshire Clean Cold Connected Partnership - \$65,350
- Baystate Medical Center, Inc - MBI - Digital Equity Berkshire Advisor - \$45,820
- Pittsfield – Francis Avenue Parklet and Routing Study - \$233,150
- Dalton - Stormwater Management - \$9,432.85

- Executive Office of Energy & Environmental Affairs – Lanesborough & Washington - \$78,000
- Lanesborough – Master Plan - \$10,000

Grants and Contracts not received.

At this time, we are not aware of any grants that have not been received.

B. Berkshires Tomorrow Inc. (BTI)

There was no recent activity related to Berkshires Tomorrow.

C. Staff Update

- Accepted Positions:
 - Nikki Lewis – Public Health Senior Planner Substance Use
- Open Positions:
 - Economic Development Program Associate – Focus on digital equity (full-time, offsite, temporary (one year)
 - Internships - Outdoor Recreation and Arts & Culture Planning
- Recognition
 - MassBike recognized Senior Transportation Planner Nicholas Russo as Advocate of the Year

D. Rural Policy Advisory Commission (RPAC) Update

The Rural Policy Advisory Commission met on November 9, 2023. Discussion centered on priorities related to the Housing Bond Bill and the promised municipal modernization bill.

E. Passenger Rail

- West-East Rail - The Co-Chairs of the Special Commission to address West-East Passenger Rail governance and operations have prepared and released a final report, [WMPR-Final-Report.pdf \(berkshireplanning.org\)](#).
- Berkshire Flyer - The Berkshire Flyer oversight group received a report on the 2023 season. They learned that MassDOT plans to extend the Berkshire Flyer Pilot in 2024 on a shorter schedule than in 2023 (the weekend before Memorial Day through Labor Day instead of mid-October).
- Northern Tier Passenger Rail – There was no activity over the last month.

F. The Commonwealth's Climate Report Card

The Healey Administration released its first Climate Report Card on 12/1/2023, including data and assessments on the state's progress in meeting its climate mandates and goals to achieve net zero greenhouse gas emissions and build resilience to climate change. The report contains Policy, Environmental Justice, Transportation, Buildings, Power, Natural and Working Lands, and Climate Adaptation and Resilience sections. It can be found at Massachusetts [Climate Report Card | Mass.gov](#).

VIII. Old Business

None

IX. New Business

A. Discussion about Possibly Amending the BRPC Bylaws to Increase the Length of the Term of the Officers and Committee members from One Year to Two Years

The BRPC Bylaws require "Each year at the first meeting after July 1, but to be held no later than August 31st, the Commission shall elect from among its membership a Chair, Vice Chair, Clerk, and Treasurer." The Bylaws are unclear about the term length for Committee members but imply those terms are one year. Committee members agreed that given there are relatively few meetings, the fact that it takes a fair amount of time to administer annual committee membership, it takes committee members several meetings to understand the workings of that committee, and many committee members stay in their role and on committees for multiple years, it may be more efficient to clearly extend the terms. This topic was referred to the Commission Development Committee.

B. January 18 Commission Meeting

Potential items required or previously mentioned include:

- Micro-Transit
- Presentation of ResilientMass Plan
- Presentation on Recommendation of the Climate Chief
- Presentation on the meaning of environmental justice communities

X. Adjournment

Just prior to adjournment it was announced that the State Economic Development Plan was finalizes

Roger Bolton motioned to adjourn the meeting at 5:15 p.m., seconded by Sheila Irvin, and unanimously approved by a roll call vote:

Malcolm Fick, John Duval, Sheila Irvin, Buck Donovan, Doug McNally, Roger Bolton, Christine Rasmussen, and Sam Haupt.

Attachments:

- Unapproved Minutes of the November 2, 2023, BRPC Executive Committee Meeting
- October 19, 2023, to November 30, 2023, Expenditures Report
- Accounts Receivable Report – November 2023
- Line of Credit Report
- Executive Director's Memorandum
- Personnel Pay Plan
- Berkshire Regional Planning Commission Environmental Review Report, E131 Asset Condition Refurbishment Project, Draft Environmental Impact Report (DEIR), Adams, North Adams, Florida, and Monroe

- Unapproved Comments to MEPA on the New England Power Company - E131 Asset Condition Refurbishment Project, Draft Environmental Impact Report (DEIR), Adams, North Adams, Florida, and Monroe
- Unapproved Minutes of the November 13, 2023 BRPC Finance Committee Meeting
- Unapproved Minutes of the November 16, 2023 BRPC Commission Development Committee Meeting
- Nikki Lewis Resume
- October Technical Assistance Memo

BERKSHIRE REGIONAL PLANNING COMMISSION

Check Register

For the Period From Dec 1, 2023 to Dec 27, 2023

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Amount	Department	Department Description	Expense
17614	12/4/23	1BERKSHIRE	314.00	737 COMM/ARTBERK23	Communities/Organizations - Cultural Districts ArtWeek	Membership
17615	12/4/23	STEFFON ASHLEY	320.00	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Subcontractor
17616	12/4/23	BERKSHIRE COMMUNITY COLLEGE	5,250.00	652 DPH/SORPEC	Department of Public Health - Bureau of Substance Addiction - SOR-PEC	Subcontractor
17617	12/4/23	LISA DONOVAN	2,200.00	720 NEA/MCLA	National Endowment for the Arts - Massachusetts College of Liberal Arts	Subcontractor
17618	12/4/23	H TERRY DESIGNS LLC	1,743.75	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Subcontractor
17618V	12/4/23	H TERRY DESIGNS LLC	-1,743.75	---	---	Void
17619	12/4/23	MASS STATE BOARD OF RETIREMENT	11,978.43	---	---	Retirement
17620	12/4/23	KELLIE MEISL	480.00	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Subcontractor
17621	12/4/23	MAEGAN MOYNAHAN	500.00	610 HRIA/G2G	Health Resources in Action - Grey to Green	Subcontractor
17622	12/4/23	QUALPRINT	7,695.00	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Communications
17623	12/4/23	THE COOPER CENTER, LLC	8,636.10	040 ADMIN	Admin	Rent
17624	12/4/23	LINDSEY ROSA	4,980.00	720 NEA/MCLA	National Endowment for the Arts - Massachusetts College of Liberal Arts	Subcontractor
17625	12/4/23	BCARC, INC.	18,343.64	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Communications
17626	12/4/23	SIOGA CLUB OF BERKSHIRE COUNTY INC	52.50	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Subcontractor
17627	12/4/23	H TERRY DESIGNS LLC	1,743.75	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Communications
17628	12/5/23	CARA BORELLI	187.50	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Subcontractor
17629	12/5/23	KAMARA FLASCHER	320.00	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Subcontractor
17630	12/5/23	MIIA HEALTH BENEFITS TRUST	2,306.38	040 ADMIN	Admin	Dental Insurance
17631	12/5/23	MIIA HEALTH BENEFITS TRUST	58,303.20	040 ADMIN	Admin	Health Insurance
17632	12/5/23	CITY OF PITTSFIELD	425.00	040 ADMIN	Admin	Parking
17633	12/5/23	GABRIEL QUAGLIA	1,600.00	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Subcontractor
17634	12/5/23	NEW ENGLAND NEWSPAPERS, INC	5,219.00	---	Varied Projects	Advertising
17635	12/6/23	AAIM TRAINING AND CONSULTING LLC	48.30	040 ADMIN	Admin	Background Check - Lewis, N
17636	12/6/23	ENVIRONMENTAL SYSTEMS RESEARCH INST INC	5,720.00	040 ADMIN	Admin	ARCGIS Software

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Check #	Date	Payee	Amount	Department	Department Description	Expense
17637	12/6/23	TD CARD SERVICES	15,794.32	040 ADMIN	Admin	November 2023 Credit Card Payment
17638	12/12/23	DONOVAN O'CONNOR & DODIG, LLP	5,500.00	716 EPA/RLF2	Environmental Protection Agency Revolving Loan Fund 2022	Legal Services
17639	12/13/23	BADIE DESIGNS LLC	6,449.00	743 BTI/BB	BTI - Berkshire Benchmarks (Petricca & Milltown)	Website Maintenance
17640	12/13/23	BECKS PRINTING	892.00	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Communications
17641	12/13/23	VALERIE BIRD	299.99	650 DPH/SS	Public Health Excellence for Shared Services	Expense Report
17642	12/13/23	BLUE 20/20	193.61	040 ADMIN	Admin	Vision Insurance
17643	12/13/23	BOSTON SEA FOODS	750.00	729 BGNG/MassSave/ADMNAD	Berkshire Gas / National Grid - Mass Save Community First Partnership - Adams & North Adams	Catering Services
17644	12/13/23	MATTHEW BRYAN	234.49	---	Varied Projects	Expense Report
17645	12/13/23	JAMES BURNHAM	2,900.00	326 BURN	Online Burn Permits	Online Burn Permit System Services
17646	12/13/23	MONASIA CEASAR	60.85	650 DPH/SS	Public Health Excellence for Shared Services	Expense Report
17647	12/13/23	GABRIELLE DIMASSIMO	320.00	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Subcontractor
17648	12/13/23	LESLIE DRAGER	77.51	284 BPHA/PHN	Berkshire Public Health Alliance - Regional Public Health Nursing Program	Expense Report
17649	12/13/23	ELEGANT STITCHES INC	725.00	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Communications
17650	12/13/23	EDWARD FAHEY	254.36	283 BPHA/INSP	Berkshire Public Health Alliance - Regional Pub	Expense Report
17651	12/13/23	FULL CIRCLE TECHNOLOGIES INC	4,800.00	722 EOAF/OP23	Executive Office for Administration & Finance - Online Permitting Upgrade	Subcontractor
17652	12/13/23	MATTHEW GILBERT	131.68	469 PHOA	Public Health Operating Allowance	Expense Report
17653	12/13/23	NOE GONZALEZ ORTIZ	900.00	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Subcontractor
17654	12/13/23	WYLIE GOODMAN	106.77	---	Varied Projects	Expense Report
17655	12/13/23	KBLT LLC	272.00	730 BGNGEVS/MassSave/GTBLEE	Berkshire Gas / National Grid / Eversource - Mass Save Community First Partnership - Great Barrington & Lee	Catering Services
17656	12/13/23	DANIEL HASSETT	363.40	650 DPH/SS	Public Health Excellence for Shared Services	Expense Report
17657	12/13/23	KATE HILL TAPIA	356.81	---	Varied Projects	Expense Report
17658	12/13/23	KATHRYN HEEDER HOCKER	1,190.00	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Subcontractor
17659	12/13/23	CORNELIUS HOSS	71.13	545 DHCD/DLTA23	District Local Technical Assistance 2023	Expense Report

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Check #	Date	Payee	Amount	Department	Department Description	Expense
17660	12/13/23	SETH JENKINS	36.68	---	Varied Projects	Expense Report
17661	12/13/23	DAVID W KELLEY	920.00	040 ADMIN	Admin	Cleaning Services
17662	12/13/23	KIDZONE CHILD CARE EDUCATIONAL CTR INC	185.00	652 DPH/SORPEC	Department of Public Health - Bureau of Substance Addiction - SOR-PEC	Transportation Services
17663	12/13/23	LAURA KITROSS	180.14	---	Varied Projects	Expense Report
17664	12/13/23	ANDREW MCKEEVER	138.86	---	Varied Projects	Expense Report
17665	12/13/23	MA COLLEGE OF LIBERAL ARTS	144.00	720 NEA/MCLA	National Endowment for the Arts - Massachusetts College of Liberal Arts	Subcontractor
17666	12/13/23	MCLA FOUNDATION	1,000.00	720 NEA/MCLA	National Endowment for the Arts - Massachusetts College of Liberal Arts	Stipend
17667	12/13/23	ABIGAIL ROSE MERRICK	1,000.00	720 NEA/MCLA	National Endowment for the Arts - Massachusetts College of Liberal Arts	Stipend
17668	12/13/23	MIIA PROPERTY & CASUALTY GROUP, INC	449.00	---	---	Property Endorsement
17669	12/13/23	COURTENY MOREHOUSE	178.03	---	Varied Projects	Expense Report
17670	12/13/23	ALEJANDRA BRENDA NOZYCE	320.00	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Subcontractor
17671	12/13/23	ANDREW OTTOSON	106.50	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Expense Report
17672	12/13/23	OUTPOST LLC	6,125.00	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Subcontractor
17673	12/13/23	TOWN OF PERU	2,050.00	653 BRPC/INSREB	BRPC Insurance Reimbursement - Covid-19	Mini Grant
17673V	12/14/23	TOWN OF PERU	-2,050.00	---	---	Void
17674	12/13/23	RAINBOW DISTRIBUTING COMPANY INC	103.92	040 ADMIN	Admin	Water
17675	12/13/23	SAMANTHA KENDALL	457.50	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Subcontractor
17676	12/13/23	NANCY SLATTERY	197.51	---	Varied Projects	Expense Report
17677	12/13/23	SOURCEPASS	660.00	040 ADMIN	Admin	Computer Maintenance
17678	12/13/23	SPECTRUM HEALTH SYSTEMS	878.00	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Subcontractor
17679	12/13/23	JAZU STINE	101.26	---	Varied Projects	Expense Report
17680	12/13/23	ELIZABETH STRICKLER	2,866.67	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Subcontractor
17681	12/13/23	COLIN SYKES	348.68	650 DPH/SS	Public Health Excellence for Shared Services	Expense Report
17682	12/13/23	VALLEY GREEN SHREDDING, LLC	85.00	040 ADMIN	Admin	Recycling
17683	12/13/23	WB MASON COMPANY INC	543.82	040 ADMIN	Admin	Supplies
17684	12/13/23	TOWN OF WASHINGTON	1,215.55	653 BRPC/INSREB	BRPC Insurance Reimbursement - Covid-19	Mini Grant
17685	12/13/23	JAYMIE ZAPATA	189.95	659 DPH/LHSCT	Department of Public Health - Local Health Support Covid-19 Contact Tracing	Expense Report

BERKSHIRE REGIONAL PLANNING COMMISSION

Check Register

For the Period From Dec 1, 2023 to Dec 27, 2023

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Amount	Department	Department Description	Expense
17686	12/13/23	BERKSHIRE PRIDE INC	1,200.00	748 MassTech/DE-FG	Massachusetts Technology Collaborative - Digital Equity Focus Group	Subcontractor
17687	12/14/23	ADLIB INC	1,200.00	748 MassTech/DE-FG	Massachusetts Technology Collaborative - Digital Equity Focus Group	Subcontractor
17688	12/14/23	TOWN OF PERU	2,050.00	653 BRPC/INSREB	BRPC Insurance Reimbursement - Covid-19	Mini Grant
17689	12/14/23	YOUR COLOR CONNECTION	252.88	040 ADMIN	Admin	Printing
17690	12/20/23	GREYLOCK WORKS	504,234.33	716 EPA/RLF2	Environmental Protection Agency Revolving Loan Fund 2022	Requisition #1
17691	12/20/23	LESLIE APPLEGET	227.19	720 NEA/MCLA	National Endowment for the Arts - Massachusetts College of Liberal Arts	WIX Reimbursement
17692	12/20/23	BECKS PRINTING	1,299.00	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Communications
17693	12/20/23	FULL CIRCLE TECHNOLOGIES INC	8,800.00	722 EOAF/OP23	Executive Office for Administration & Finance - Online Permitting Upgrade	Subcontractor
17694	12/20/23	TAYLOR GARRETT	1,500.00	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Subcontractor
17695	12/20/23	LAMAR COMPANIES	11,450.00	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Communications
17696	12/20/23	NIKKI LEWIS	90.00	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Transcription Reimbursement
17697	12/20/23	MASS STATE BOARD OF RETIREMENT	11,810.55	---	---	Retirement
17698	12/20/23	MIRICK O'CONNELL	606.50	040 ADMIN	Admin	Audit Responses
17699	12/20/23	MIRICK O'CONNELL	1,260.00	545 DHCD/DLTA23	District Local Technical Assistance 2023	Legal Services
17700	12/20/23	MIGUEL PABON	2,000.00	720 NEA/MCLA	National Endowment for the Arts - Massachusetts College of Liberal Arts	Stipend
17701	12/20/23	TPX COMMUNICATIONS	1,331.70	040 ADMIN	Admin	Telephone
17702	12/20/23	THE COOPER CENTER, LLC	2,200.68	040 ADMIN	Admin	Utilities
17703	12/20/23	VALLEY GREEN SHREDDING, LLC	85.00	40 ADMIN	Admin	Recycling
17704	12/20/23	VOLUNTEERS IN MEDICINE INC	5,000.00	659 DPH/LHSCT	Department of Public Health - Local Health Support Covid-19 Contact Tracing	Subcontractor
1281	12/12/23	ALEX KOMLEV	21,015.00	631 DAL/CDBG	Dalton - Community Development Block Grant	Subcontractor
1282	12/12/23	CMV CONSTRUCTION SERVICES INC	28,650.00	631 DAL/CDBG	Dalton - Community Development Block Grant	Subcontractor

Total 803,959.62

BERKSHIRE REGIONAL PLANNING COMMISSION

Check Register

For the Period From Dec 1, 2023 to Dec 27, 2023

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Amount	Department	Department Description	Expense
Check #	Date	Payee	Amount	Department	Department Description	Expense
CCARD	11/13/23	AMAZON.COM	80.00	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Supplies
CCARD	11/14/23	AMAZON.COM	782.75	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Supplies
CCARD	11/14/23	HOLIDAY INN & SUITES - BERKSHIRES	1,873.25	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Recovery Friendly Event
CCARD	11/14/23	HOLIDAY INN & SUITES - BERKSHIRES	-37.50	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Recovery Friendly Event Credit
CCARD	11/14/23	BIG Y SUPERMARKET	21.48	646 DPH/MASSCALL3	Department of Public Health MASS CALL 3B - Substance Misuse Prevention Grant Program	Supplies
CCARD	11/15/23	AMAZON.COM	749.69	646 DPH/MASSCALL3	Department of Public Health MASS CALL 3B - Substance Misuse Prevention Grant Program	Computer Equipment
CCARD	11/15/23	NATIONWIDE AQUATIC CONSULTING, INC.	375.00	650 DPH/SS	Public Health Excellence for Shared Services	Training - Hassett, D
CCARD	11/15/23	NATIONWIDE AQUATIC CONSULTING, INC.	375.00	650 DPH/SS	Public Health Excellence for Shared Services	Training - Stine, J
CCARD	11/15/23	LULUS TINY GROCERY	50.00	350 BCBOHA/SUP	Berkshire County Boards of Health Association Support Services	Meals - BCBOHA Meeting
CCARD	11/15/23	AMAZON.COM	498.70	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Supplies
CCARD	11/16/23	DUNKIN DONUTS	45.98	610 HRIA/G2G	Health Resources in Action - Grey to Green	Meals - G2G Community Meeting
CCARD	11/16/23	JIMINY PEAK MOUNTAIN RESORT LLC	1,747.96	724 HAN/MVP	Hancock - Municipal Vulnerability Preparedness	Workshop Event
CCARD	11/16/23	AMAZON.COM	149.97	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Supplies
CCARD	11/16/23	AMAZON.COM	399.92	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Supplies
CCARD	11/16/23	LIBERTY PIZZA	175.16	610 HRIA/G2G	Health Resources in Action - Grey to Green	Meals - G2G Community Event
CCARD	11/17/23	AMAZON.COM	740.35	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Supplies
CCARD	11/18/23	DOTSTER	20.99	515 BB/BUW24	Berkshire Benchmarks - Berkshire United Way	Computer Software
CCARD	11/20/23	WALMART.COM	192.72	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Supplies
CCARD	11/20/23	AMAZON.COM	297.99	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Supplies

BERKSHIRE REGIONAL PLANNING COMMISSION

Check Register

For the Period From Dec 1, 2023 to Dec 27, 2023

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Amount	Department	Department Description	Expense
CCARD	11/20/23	BONDU, LLC	756.00	640 NEAETC/CRI23	New England AIDS Education & Training Center - Community Research Initiative of New England, Inc. - Hepatitis C V	HCV Event Deposit
CCARD	11/20/23	AMAZON.COM	29.99	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Supplies
CCARD	11/20/23	LIBERTY PIZZA	117.15	610 HRIA/G2G	Health Resources in Action - Grey to Green	Meals - G2G Community Event
CCARD	11/20/23	UNITED STATES POSTAL SERVICE	44.22	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Naloxone Kit Postage
CCARD	11/21/23	AMAZON.COM	1,878.72	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Supplies
CCARD	11/21/23	TERMAGEDDON	83.30	040 ADMIN	Admin	BRPC Website Software
CCARD	11/21/23	AMAZON.COM	498.70	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Supplies
CCARD	11/21/23	AMAZON.COM	749.69	040 ADMIN	Admin	Computer Equipment
CCARD	11/22/23	AMAZON.COM	544.91	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Supplies
CCARD	11/23/23	SPLASHTOP	199.00	040 ADMIN	Admin	Remote Access Subscription
CCARD	11/24/23	CONSTANT CONTACT, INC	81.00	040 ADMIN	Admin	Newsletter Subscription
CCARD	11/24/23	AMAZON.COM	504.64	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Supplies
CCARD	11/25/23	AMAZON.COM	33.84	040 ADMIN	Admin	Computer Equipment
CCARD	11/26/23	BJS WHOLESALE CLUB	119.77	010 GEN	General	MIIA Grant - Healthy Snacks
CCARD	11/27/23	UNITED STATES POSTAL SERVICE	17.15	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Naloxone Kit Postage
CCARD	11/27/23	AMAZON.COM	151.95	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Supplies
CCARD	11/27/23	AMAZON.COM	279.01	606 BMC/PTSFA	Boston Medical Center - Pittsfield Fiscal Agent HEALING Communities	Supplies
CCARD	11/28/23	AMERICAN PLANNING ASSOCIATION	49.87	545 DHCD/DLTA23	District Local Technical Assistance 2023	APA Event - Hoss, C
CCARD	11/28/23	BITWARDEN INC	1,116.00	040 ADMIN	Admin	Computer Software

Total 15,794.32

BERKSHIRE REGIONAL PLANNING COMMISSION

Aged Receivables

As of Dec 31, 2023

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

Customer ID	Customer	Over 90 days	Amount Due	Notes
283 BPHA/INSP/DAL	TOWN OF DALTON		187.50	
283 BPHA/INSP/RCH	TOWN OF RICHMOND	4,633.25	4,633.25	Left voicemail 12/27/23
284 BPHA/PHN/CHS	TOWN OF CHESHIRE	2,308.00	2,308.00	Payment is on its way
284 BPHA/PHN/CLK	TOWN OF CLARKSBURG	767.62	767.62	Left voicemail 12/27/23
284 BPHA/PHN/FLA	TOWN OF FLORIDA	577.50	577.50	Invoice Resent 12/27/23
284 BPHA/PHN/HAN	TOWN OF HANCOCK	551.25	551.25	Invoice Resent 12/27/23
284 BPHA/PHN/RIV	RIVER RUN APARTMENTS	200.00	200.00	Invoice Resent 12/27/23
284 BPHA/PHN/WMS	TOWN OF WILLIAMSTOWN	1,711.73	1,711.73	Left voicemail 12/27/23
326/BURN/ADM	ADAMS FOREST WARDEN DEPT		115.00	
326/BURN/BKT	BECKET FIRE DEPARTMENT		115.00	
326/BURN/CHS	CHESHIRE FIRE DEPARTMENT		115.00	
326/BURN/EGR	EGREMONT FIRE DEPARTMENT		115.00	
326/BURN/GTB	GREAT BARRINGTON FIRE DEPT		115.00	
326/BURN/HAN	HANCOCK FIRE DEPT		115.00	
326/BURN/HIN	HINSDALE FIRE DEPARTMENT		115.00	
326/BURN/LEE	LEE FIRE DEPARTMENT		115.00	
326/BURN/LEN	LENOX FIRE DEPARTMENT		115.00	
326/BURN/MON	MONTEREY FIRE COMPANY		115.00	
326/BURN/NAS	TOWN OF NEW ASHFORD		115.00	
326/BURN/OTS	TOWN OF OTIS		115.00	
326/BURN/PER	PERU FIRE DEPT		115.00	
326/BURN/PTS	PITTSFIELD FIRE DEPARTMENT		115.00	
326/BURN/SHF	TOWN OF SHEFFIELD		115.00	
326/BURN/SND	SANDISFIELD FIRE DEPARTMENT		315.00	
326/BURN/TYR	TYRINGHAM FIRE DEPARTMENT		115.00	
326/BURN/WMS	WILLIAMSTOWN FIRE DISTRICT		115.00	
326/BURN/WND	WINDSOR VOLUNTEER FIRE DEPT		115.00	Payment Received
326/BURN/WSH	TOWN OF WASHINGTON		115.00	
326/BURN/WST	TOWN OF WEST STOCKBRIDGE		115.00	
350/BCBOHA	BERKSHIRE COUNTY BOARDS OF HEALTH ASSOC	2,791.07	2,791.07	Payment in process
440/TPL	MASSDOT#75425 - TPL		57,113.56	
493 RCH/EP	TOWN OF RICHMOND	280.00	280.00	Laura B following up
526 BCSO/OPIOID	BERKSHIRE COUNTY SHERIFFS OFFICE		25,000.00	
560 COMMVENPUR	COMMUNITY VENDOR PURCHASING	1,100.00	1,100.00	Becky S followed up
560 SEALCOATING	SEALCOATING INC	523.25	523.25	Becky S followed up

BERKSHIRE REGIONAL PLANNING COMMISSION

Aged Receivables

As of Dec 31, 2023

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

Customer ID	Customer	Over 90 days	Amount Due	Notes
561 LEN/EDP	TOWN OF LENOX	62.50	62.50	Laura B following up
606 BMC/PTSFA	BOSTON MEDICAL CENTER		55,911.62	
616 WMPHA	WESTERN MASS PUBLIC HEALTH ASSOCIATION		2,250.00	
631 DAL/CDBG	TOWN OF DALTON		180,387.50	
640 NEATC/CRI/HCV	COMMUNITY RESEARCH INITIATIVE		4,918.94	
646 DPH/MASSCALLS	DEPT OF PUBLIC HEALTH - MASSCALLS		11,998.50	
647 GTB/CLNUP	TOWN OF GREAT BARRINGTON	573.91	573.91	Environmental & Energy program to follow up
652 DPH/SORPEC	DEPT OF PUBLIC HEALTH		15,816.98	
657 EPA/HC	ENVIRONMENTAL PROTECTION AGENCY	2,389.41	2,389.41	Environmental & Energy program to follow up
663 HVA/MCRC	HOUSATONIC VALLEY ASSOCIATION	213.67	213.67	Environmental & Energy program to follow up
672 DHCD/HOUSE	DHCD		377.96	
678 NERHA/RV	NEW ENGLAND RURAL HEALTH ASSOC.		15,000.00	
679 NG/MASSSAVE/CFP	NATIONAL GRID		3,645.84	Payment Received
685 HVA/BCCCP	HOUSATONIC VALLEY ASSOCIATION	4,247.73	4,247.73	Environmental & Energy program to follow up
691 CHS/GC	TOWN OF CHESHIRE	883.88	883.88	Environmental & Energy program to follow up
702 EPA/ASSESS	ENVIRONMENTAL PROTECTION AGENCY		2,300.26	
703 WST/GC	TOWN OF WEST STOCKBRIDGE	220.51	220.51	Environmental & Energy program to follow up
710 CEDAC	COMMUNITY DEVELOPMENT ASSISTANCE CORP		15,000.00	
711 CLK/GW	TOWN OF CLARKSBURG	653.11	653.11	Environmental & Energy program to follow up
713 MON/MVPA	TOWN OF MONTEREY	6,691.68	6,691.68	Environmental & Energy program to follow up
714 LEE/HMMVP	TOWN OF LEE	12,049.81	12,049.81	Environmental & Energy program to follow up
716 EPA/RLF	ENVIRONMENTAL PROTECTION AGENCY		5,982.25	
718 LEE/SRPP	TOWN OF LEE	3,603.65	3,603.65	CJ to follow up
725.00 MASSTECH/PTS	725.00 MASSTECH/PTS		38,627.00	
728 MAPC/MCSP	METROPOLITAN AREA PLANNING COUNCIL		4,629.65	
731 SND/GC	TOWN OF SANDISFIELD	1,408.01	1,408.01	Environmental & Energy program to follow up
732 EPA/AIRQ	732 EPA/AIRQ		14,609.67	
733.00 USDOT	USDOT EQUITY CONCERNS		5,829.43	
735 MASSCEC/EMPOWER	MA CLEAN ENERGY TECHNOLOGY CENTER		45,000.00	
741 BMC/MBI/DEBERK	BAYSTATE MEDICAL CENTER		1,560.58	
742 MON/OSRP	TOWN OF MONTEREY		1,992.65	

Report Total

48,441.54 559,196.43



Accounts

Current Balance

\$0.00

Available Credit

Amount Due

Payment Due Date



It appears you don't have any recent activity.

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

All available activity has been retrieved. More may be available via date-range search.



MEMORANDUM

TO: Executive Committee, Berkshire Regional Planning Commission
FROM: Thomas Matuszko, Executive Director
DATE: December 29, 2023
SUBJ: Agenda Items – January 4, 2024, Executive Committee Meeting

IV. Items Requiring Action

A. **Vote to Approve Changes to the BRPC Personal, Family, and Medical Leave Policy to Allow for a Paid Leave Option***

The Executive Committee is requested to approve changes to the BRPC Personal, Family, and Medical Leave Policy to allow for a paid leave option. Through this option, employees who have worked at BRPC for at least one year would be eligible to receive paid leave similar to the Massachusetts Paid Family and Medical Leave Act for up to a 12 week leave period. To qualify for this paid leave, employees would need to first use any short or long-term disability benefit, sick leave, compensatory time, holiday, or floating holiday time and all but 35 hours of vacation time. The value of the financial benefit offered under the Massachusetts Paid Family and Medical Leave Act would be calculated for that employee, converted to hours at the employee's pay rate and added as sick leave to be used in the 12-week period.

Another proposed change is to add a negative sick leave balance of up to 35 hours to those employees who have used up their entire sick leave balance while on leave once they return from leave.

These changes are being proposed for BRPC to remain competitive without the bureaucratic requirements and additional costs to the employees and the agency of the Massachusetts Paid Family and Medical Leave Act. Depending on the number of employees receiving this benefit in any given year, it appears to be more financially favorable to the agency than participating in the Massachusetts Paid Family and Medical Leave Act program but will need to be monitored over time.

B. **Vote to Approve Submission of a Grant Application to the Rural Health Network Development Planning Program in the Health Resources and Administration (HRSA) Federal Office of Rural Health Policy**

The Executive Committee is requested to authorize the Executive Director to submit a Rural Health Network Planning grant application and sign any resulting contracts and agreements to the Health Resources and Administration (HRSA) Federal Office of Rural Health Policy. The purpose the Rural Health Network Development Planning Program is to plan and develop integrated health care networks that collaborate to: (i) achieve efficiencies;

(ii) expand access to and improve the quality of basic health care services and health outcomes; and (iii) strengthen the rural health care system. This program supports one year of planning and brings together members of the health care delivery system, particularly those entities that may not have collaborated in the past, to establish and/or improve local capacity to strengthen rural community health interventions and enhance care coordination. The grant is for up to \$100,000 and does not require a BRPC match. There may be subcontractors. Laura Kittross, Public Health Program Manager, lkittross@berkshireplanning.org is the BRPC contact.

C. Vote to Approve Entering into a Contract with the Metropolitan Area Planning Council Related to the Massachusetts Department of Conservation and Recreation MassTrails Grant Program

The Executive Committee is requested (after the fact) to authorize the Executive Director to sign any contracts and agreements with the Metropolitan Area Planning Council related to its Massachusetts Department of Conservation and Recreation MassTrails grant program. Through this grant, BRPC will work with other regional planning agencies and state partners to finalize the design of a statewide GIS trail standard. The grant runs through June 15, 2024. This grant will provide \$8,000 in funding, with \$2,000 in-kind match required. Mark Maloy, mmaloy@berkshireplanning.org, is the BRPC contact.

V. Committee Reports and Discussion

A. Regional Issues Committee

The Regional Issues Committee met on December 13, 2023 and discussed the Draft Report of the Clean Energy Transmission Working Group (CETWG). Comments were due by December 15, 2023. A copy of those comments is included. Minutes are not yet available.

B. Finance Committee

The Finance Committee met on December 14, 2023 and approved the FY 2023 Audit. A Summary of the Auditor's Results, Statement of Revenues, Expenditures and Changes in Fund Balances, and the Audit Management Letter is attached. The Committee also discussed and reviewed a draft Investment Policy. The next meeting is proposed for May 2024 about the FY 2025 budget. Draft unapproved minutes are in the packet.

VI. Executive Director's Report

A. Report on New Contracts/Agreements

New Grants and Contracts received/initiated from 12/1/2023 to 12/27/2023.

- Richmond – Economic Development Planner - \$10,000
- Department of Energy Resources - Regional Energy Plan Assistance - \$66,350
- Metropolitan Area Planning Council - Western Region Homeland Security Advisory Council - Equity in Emergency Management - \$9,950

- Communities/Organizations - Cultural Districts - ArtWeek Berkshires - \$20,000
- New England Rural Health Association – Root Cause Equity in Heat Emergencies - \$30,000

Grants and Contracts not received.

At this time, we are not aware of any grants not received.

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

The BTI Board approved the acceptance of funding from Mill Town Foundation of \$15,000 to support the Berkshire Benchmarks initiative, which will provide staffing for BRPC and cover the cost of the Berkshire Benchmarks website and authorized the BTI President to sign any contracts. The funding will be from January 1, 2024, to December 31, 2024.

C. Staff Update

- Accepted Positions:
 - Jocelyn Latvalla - Economic Development Program Associate – Focus on digital equity
- Open Positions:
 - Internships - Outdoor Recreation and Arts & Culture Planning
 - Public Health Nurse -Health Educator
 - Senior Planner - Housing

D. Rural Policy Advisory Commission (RPAC) Update

The Rural Policy Advisory Commission did not meet in December 2023. The next meeting is scheduled for January 12, 2024.

E. Passenger Rail

- West-East Rail – BOSTON — The Massachusetts Department of Transportation (MassDOT) announced that up to \$500,000 has been awarded to the Rail and Transit Division through the Federal Railroad Administration's (FRA) Corridor Identification and Development Program (Corridor ID) to support planning for additional train service connecting Boston and Albany, New York through Springfield, and Pittsfield. This corridor would provide up to eight daily round-trip passenger trains on an existing alignment owned by CSX Transportation. Currently, the only passenger service on this corridor is Amtrak's once-daily long-distance Lake Shore Limited. The Corridor ID Program is a comprehensive intercity passenger rail planning and development program that will help guide intercity passenger rail development throughout the country and creates a pipeline of intercity passenger rail projects ready for implementation and funding through FRA's Federal-State Partnership-National Network Program.
- Berkshire Flyer - There was no known activity over the last month.

- Northern Tier Passenger Rail – There was no known activity over the last month.

F. Farmland Action Plan

In early December, the Healey-Driscoll Administration released the Massachusetts Farmland Action Plan today, a long-range strategic initiative to address Massachusetts' farmland needs. The plan sets goals and priorities around increasing farmland conservation and protection, addressing farmland access, and preserving and expanding the economic and environmental viability of farms across the state. It can be found at [download \(mass.gov\)](#).

G. Economic Development Plan

In December, the Healey administration released the state's economic development plan "Team Massachusetts: Leading Future Generations". The plan reflects a vision for Massachusetts organized around three main priority areas:

- Fundamentals: Investing in the fundamentals to enable economic growth
- Talent: Retaining and attracting the world's best talent across all backgrounds
- Sectors: Supporting businesses that power the state's economy

The plan can be accessed at [Economic Development Plan | Mass.gov](#)

H. Blueprint: Building the Foundation for Recovery

For the past 18 months the Public Health Program has worked with others on a shared goal of reducing opioid overdoses. Partners from across the Berkshires joined together in the HEALing Communities Study to increase naloxone distribution, raise awareness of all pathways to treatment and recovery, and reduce stigma around substance use disorder.

Blueprint is a documentary film where members of the Berkshire community share their recovery stories. The film is available at [Blueprint: Building the Foundation for Recovery \(youtube.com\)](#).

VII. Old Business

A. Comments on the Massachusetts Internet for All Plan

At the December meeting the Executive Committee approved one set of comments to the Massachusetts Broadband Institute on the Massachusetts Internet for All Plan. The Committee also approved the submission of a second set of comments on the Broadband Equity, Access, and Deployment (BEAD) element of the plan. Comments which were due December 15th are included in the meeting material. The plan can be accessed at [Massachusetts Internet for All Plan | MBI \(masstech.org\)](#).

A. New Business

A. Discussion about the January Commission Meeting

The next Full Commission meeting is scheduled for January 18, 2024.

Potential items required or previously mentioned include:

- Micro-transit
- Presentation of ResilientMass Plan
- Presentation on Recommendation of the Climate Chief
- Presentation on the meaning of environmental justice communities
- Presentation on the Economic Development Plan

Personal, Family, and Medical Leave Policy
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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 for any one-year period for the following reasons:

- The birth of a child or to bond with a newborn child (leave must be taken within the first year of birth.)
- The placement of a child for adoption or foster care or to bond with a recently placed child (leave must be taken within the first year of placement.)
- To care for a covered family member with a qualifying serious health condition.
- To care for an 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 in 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, floating holiday time, holiday time, short- or long-term disability benefits, if applicable, to cover any approved Personal, Family, and Medical Leave. If the amount of leave granted exceeds the available balances, the difference shall be leave without pay.

If an employee on leave receives benefits under BRPC's Short-Term or Long-Term Disability plan, they may simultaneously use sick and vacation accrual balances, compensatory time, holiday time, or floating holiday time to supplement the leave. Employees who use all their sick leave accrual balances while on leave are eligible to receive an advance balance of up to 35 hours when an employee returns to work from leave. These advance balances must be reduced through new unused accruals within one year from when the employee returns from leave.

Reduced Schedule or Intermittent Leave

Leave does not have to be taken all at once. Based on the requirements of medical treatment, employees requesting Personal, Family, and Medical Leave may request a series of shorter leaves over an extended period or an alternative work schedule with reduced hours. BRPC may require employees who work an intermittent or alternative work schedule to temporarily transfer to a position that can better accommodate recurring periods of leave than the employee's regular position. The alternative position must be of equivalent status with equivalent pay and benefits. Intermittent or alternative work schedules are at the discretion of the Executive Director.

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 the serious health condition for which the employee is seeking leave. The certification must include the contact information for the health provider, when the health condition began, and how long the serious condition is expected to last. The certification must state that the employee cannot perform the essential functions of their job. No certification 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 family relationship.

Within 5 days of the original request for leave, the employee will be 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.

Employee Benefits While on Leave

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.

Paid Leave Option

Eligible employees, as specified previously in this policy, who have been employed at BRPC a minimum of one year, have the option to receive paid leave similar to the Massachusetts Paid Family and Medical Leave Act. For an employee to receive this benefit they must agree to first use their benefits under BRPC's Short-Term or Long-Term Disability plan, their available balance of sick leave accrual, all but 35 hours of their available balance of vacation accrual, and compensatory time, holiday time, or floating holiday time balances. The benefit an employee would have received under the Massachusetts Paid Family and Medical Leave Act will be calculated using the Paid Family and Medical Leave Benefits Calculator. Payments received, (or eligible to be received in the case of employees not having a Short or Long Term Disability Plan) through BRPC's Short or Long Term Disability Plans will be deducted from this total. The value of the benefit will be converted to hours based on the employee's hourly rate at the initial date of the leave. Hours, up to the amount needed to cover but not exceed the balance of the leave term not covered by the use of Short or Long Term Disability Plans or other leave, will be added to the employee's sick leave available balance.

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.

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 leave granted pursuant to this Policy will be subject to termination unless an extension or reasonable accommodation is granted. An employee may request an extension or accommodation due to the continuation, recurrence, or onset of any qualifying reason. An extension request must be submitted in writing, to the Executive Director. A request for a reasonable accommodation must be made to the Executive Director. Where applicable, extension requests require another medical certification completed by a healthcare professional. This written request should be made as soon as the employee realizes that they cannot return at the originally anticipated end of leave.

Consultation of Employees on Leave

Draft 12/27/2023

Employees on 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.



BRPC

Berkshire Regional Planning Commission

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

December 14, 2023

Jason Marshall, Co-Chair
James M. Van Nostrand, Co-Chair
Clean Energy Transmission Working Group

Executive Office of Energy and Environmental Affairs
100 Cambridge Street, 10th Floor
Boston, MA 02114

Re: Clean Energy Transmission Working Group Draft Report

Dear Co-Chairs Marshall and Van Nostrand,

The Berkshire Regional Planning Commission (or “BRPC”) is pleased to submit comments on the Clean Energy Transmission Working Group (or “CETWG”) Report. BRPC applauds efforts made by the Commonwealth to plan for the modernization transmission and distribution of electricity, especially given grid capacity constraints in the Berkshires. The following are comments prepared in response to the draft report:

Transmission and Distribution Planning, Siting, and Permitting

- BRPC supports utilizing existing utility corridors and opportunities for upgrading existing lines wherever practical. Regardless of location BRPC requests that municipalities be notified of proposals and the provision of a local hearing to allow for constructive feedback. Local municipalities find that the public hearings for utility pole placement within locally controlled right-of-way often identify common-sense solutions that often benefit property owners and that can be easily overlooked when the opportunity for local feedback is not provided.

Workforce Development

- BRPC supports building capacity of educational institutions in the Commonwealth for training and educating the workforce needed to implement the goals of the report and wishes to acknowledge the potential for our local community colleges to provide support for these efforts as well. BRPC also wishes to highlight that the work outlined in this report will require linesmen and other trades that our technical high schools, trade schools, and community colleges are well positioned to provide support. Lastly, BRPC wants to ensure adequate financial commitments to all tiers of educational institutions that will be needed in order to implement short- and long-term planning.

BRPC wishes to conclude that acknowledging the necessity of additional networks and capacity also requires acknowledging the need to provide a voice for residents throughout the Commonwealth, especially environmental justice and rural communities. To accomplish this goal, BRPC recommends the inclusion of representatives of organizations such as the Rural Policy Advisory Committee, the Massachusetts Municipal Association, the Massachusetts

Select Board Association, and/or the Massachusetts Association of Regional Planning Agencies.

These comments were approved by the BRPC Regional Issues Committee at its meeting on December 13, 2023. Thank you for the opportunity to review and provide comments on the CETWG Report.

Sincerely,

A handwritten signature in blue ink, appearing to read "Thomas Matuszko".

Thomas Matuszko, AICP
Executive Director

Cc: Senator Paul W. Mark, Berkshire, Hampden, Franklin, and Hampshire District
Representative Smitty Pignatelli, 3rd Berkshire District
Representative Tricia Farley Bouvier, 2nd Berkshire District
Representative John Barrett, 1st Berkshire District

BERKSHIRE REGIONAL PLANNING COMMISSION
SCHEDULE OF FINDINGS AND QUESTIONED COSTS

June 30, 2023

Section I – Summary of Auditors’ Results

Financial Statements

Type of auditors’ report issued: Unmodified

Internal control over financial reporting:

- Material weaknesses identified? yes ✓ no
- Significant deficiencies identified? yes ✓ none reported

Noncompliance material to financial statements noted? yes ✓ no

Federal Awards

Internal Control over major federal programs:

- Material weaknesses identified? yes ✓ no
- Significant deficiencies identified? yes ✓ none reported

Type of auditors’ report issued on compliance for major federal programs: Unmodified opinion on all major programs

- Any audit findings disclosed that are required to be reported in accordance with 2 CFR Section 200.516(a)? yes ✓ no

Identification of major federal programs:

Assistance Listing Number

Federal Grantor

20.505

Department of Transportation/Metropolitan Transportation Planning

See detail on Schedule of Expenditures of Federal Awards

Dollar threshold to distinguish between type A and type B programs: \$750,000

Auditee qualified as low-risk auditee? ✓ yes no

Section II – Financial Statement Findings

There were no findings for the year ended June 30, 2023.

Section III – Federal Award Findings and Questioned Costs

There were no findings or questioned costs for the year ended June 30, 2023.

Status of Prior Year Audit Findings and Questioned Costs

There were no findings or questioned costs for the prior year ended June 30, 2022.

BERKSHIRE REGIONAL PLANNING COMMISSION

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES

GOVERNMENTAL FUNDS

For the Year Ended June 30, 2023

		Restricted Funds			
	General	Brownfields	Home	Total	Comparative
	Fund	Loan	Modification	2023	Total
		Fund	Loan Fund		2022
Revenues					
State and federal programs	\$ 3,191,927	\$ 384,275	\$ -	\$ 3,576,202	\$ 3,337,268
Local and other programs	2,374,926	-	24,868	2,399,794	2,636,013
Special programs	9,996	-	-	9,996	21,012
State pension assistance	362,053	-	-	362,053	172,787
Community assessments	107,165	-	-	107,165	104,551
Interest income	10,193	11,517	-	21,710	11,528
Total revenues	<u>6,056,260</u>	<u>395,792</u>	<u>24,868</u>	<u>6,476,920</u>	<u>6,283,159</u>
Expenditures					
General services	50,356	-	-	50,356	149,973
Community development and housing	753,258	-	-	753,258	928,988
Community planning	418,081	-	-	418,081	393,595
Data and information services	54,300	-	-	54,300	18,092
Economic development	641,636	-	-	641,636	743,429
Emergency preparedness	-	-	-	-	385,219
Environmental and energy	554,928	435,608	-	990,536	445,089
Public health program	2,314,315	-	-	2,314,315	1,403,693
Regional initiatives and services	314,343	-	-	314,343	725,495
Transportation planning	619,606	-	-	619,606	572,753
Total expenditures	<u>5,720,823</u>	<u>435,608</u>	<u>-</u>	<u>6,156,431</u>	<u>5,766,326</u>
Excess (deficiency) of revenues over expenditures	335,437	(39,816)	24,868	320,489	516,833
Other item					
(Increase) decrease in allowance for for uncollectible accounts	<u>-</u>	<u>(11,517)</u>	<u>-</u>	<u>(11,517)</u>	<u>35,439</u>
Net change in fund balances	335,437	(51,333)	24,868	308,972	552,272
Fund balance (deficit), beginning	<u>(745,883)</u>	<u>1,067,110</u>	<u>-</u>	<u>321,227</u>	<u>(231,045)</u>
Fund balance (deficit), ending	<u>\$ (410,446)</u>	<u>\$ 1,015,777</u>	<u>\$ 24,868</u>	<u>\$ 630,199</u>	<u>\$ 321,227</u>

See notes to financial statements.

BERKSHIRE REGIONAL PLANNING COMMISSION

Management Letter

June 30, 2023

Table of Contents

	Page
Cover Letter	2
Comments and Recommendations	3
Status of Prior Year Recommendations	3



Adelson & Company PC

CERTIFIED PUBLIC ACCOUNTANTS

Established 1938

AUDIT | TAX | ADVISORY

Gary J. Moynihan, CPA
Carol J. Leibinger-Healey, CPA
David M. Irwin, Jr., CPA
Of Counsel:
Richard F. LaFleche, CPA

December 12, 2023

To the Commission Members of the
BERKSHIRE REGIONAL PLANNING COMMISSION
1 Fenn Street, Suite 201
Pittsfield, MA 01201

Dear Commission Members,

In connection with our audit of the financial statements of Berkshire Regional Planning Commission as of June 30, 2023, we have made a review of the Organization's accounting, financial, and administrative policies and procedures. While the primary objective of such a review is to afford us a basis of determining the scope of our audit procedures, it nevertheless presents us with an opportunity to submit, for the Organization's consideration, suggestions for changes in procedures that, in our opinion, would strengthen internal control or contribute to the improvement of operating efficiency.

The comments and recommendations in this letter are based upon observations made in the course of such review. The review was not designed for the purpose of expressing an opinion on internal accounting control, and it would not necessarily disclose all weaknesses in the system. The matters discussed herein were considered during our examination of the above mentioned financial statements, and they did not modify the opinion expressed in our report on those financial statements.

We will review the status of these comments during our next audit engagement. We have already discussed these comments and suggestions with various Organization personnel, and we will be pleased to discuss them in further detail at your convenience. We are also available to provide guidance to assist the Organization in implementing the recommendations.

We would like to express our thanks and appreciation to Berkshire Regional Planning Commission and its personnel for the cooperation given us during the course of our audit.

Sincerely,

ADELSON & COMPANY PC

Comments and Recommendations

1. The Commission uses a third-party payroll service provider to process payroll, complete required payroll tax filings, and withhold and remit payroll taxes on behalf of the Commission. While the Commission does receive copies of the payroll returns after they are prepared, there is currently no formal procedure in which the Commission verifies the payroll returns are actually filed and the payroll taxes remitted to the appropriate government agencies.

Recommendation:

The Commission should implement a procedure in which the submission of the applicable payroll returns and payment of the taxes is verified. This may be accomplished by obtaining a confirmation receipt from the payroll service provider that the payroll returns and taxes were transmitted to, and accepted by, the applicable government agencies. The Commission may also obtain access to the Federal EFTPS and Mass Tax Connect websites to verify payment of the taxes. This should be performed on a quarterly basis after each filing is due.

Action Taken:

The Commission has made the following changes and added the following language to its financial policies and procedures:

The Commission has access to the Mass Tax Connect website. The Commission has included in its procedures to verify the payment of Massachusetts quarterly taxes. The Commission also has obtained access to the Federal EFTPS to verify federal tax payments and included in its procedures to verify the payments of Federal quarterly taxes.

Status of Prior Year Recommendations

1. As recommended, the Organization adopted a policy to review and evaluate all lease agreements to ensure proper treatment with ASU 2016-02, *Leases*.



DRAFT

FINANCE COMMITTEE MEETING

Thursday, December 14, 2023, 4:30 p.m.

This was a Virtual Meeting 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.

I. Call to Order

The meeting was called to order at 4:32 pm.

Chair Buck Donovan called the meeting to order. Staff member Kate Hill Tapia read the Open Meeting Law statement.

Roll Call - Buck Donovan, Sam Haupt, Sheila Irvin, John Duval, Kyle Hanlon

Also present: Malcolm Fick (at-large member), Marianne Snizek, Tom Matuszko, Kate Hill-Tapia, David Irwin from Adelson & Company PC, and James Gt Barrington.

II. Vote to approve the Minutes of the Finance Committee Meeting of November 13, 2023

Sam Haupt moved to approve November 13, 2023, meeting minutes, which Sheila Irvin seconded. It was approved by a roll call vote from Buck Donovan, Sam Haupt, Sheila Irvin, and John Duval. Kyle Hanlon abstained.

III. FY2023 Audit Review & Management letter comments by Adelson and Vote to approve.

Presentation by David Irwin, Adelson & Company P.C.

Dave gave an overview of BRPC's FY 2023 Audit.

Page 3 & 5 – Independent Auditors' Report – This is the opinion of Adelson's audit of the Commission's financials for FY23. Adelson completed the audit and had a clean opinion. The statements are in accordance with the GAAS and Government Auditing Standards. The financials accurately represent the Commission financial position. The Financials are the responsibly of management. The audit must comply with government standards and federal standards based on the type funding BRPC receives. Adelson must test very specific federal testing. Testing was done on federal and federal pass-through funds. Adelson issued a clean opinion. Dave explained they issued a clean

opinion on the audit and the federal testing. The opinions will be published to the federal and state government.

Opinion – Adelson's review found no deficiencies or weakness, a good clean opinion.

Page 6-1 to 6-5 - Management's Discussion and Analysis. Adelson reviews this overview section and ties the numbers to what is reported.

Page 7 - Statement of Net Position - Assets

Current Assets Total – FY23 \$4,441,748 vs. FY22 \$2,910,642

- Operating Accounts - Cash and Equivalents for FY23 \$1,048,179.
- Restricted cash and equivalents
 - Brownfields Fund (EPA) of \$391,352
 - Home Modification Fund (CEDAC) of \$60,041
 - Berkshire Public Health Alliance (Insurance reimbursement) of \$1,131,283*
 - Project Accounts Receivable of \$1,697,603 as of 12/6/2023, \$123,204.74 has not been collected) Less receivables than the previous year.
- *Dave noted the \$1,131,283 is restricted cash. BRPC is the fiscal agent, and another board controls the spending of those funds. Money passes through BRPC.
- Prepaid expenses of \$113,290 are for insurance.
- There are no Brownfields or Home Modification notes none are due within one year.

All bank accounts are reconciled monthly, and Adelson confirms the cash with the bank. Adelson did not find anything unusual.

Noncurrent assets -FY23 \$5,695,384 vs. FY22 \$4,238,071

- Brownfields and Home Modification Loan Program note receivable, (page 16-17) Due after one year \$604,868.
- * Allowance for potential uncollectible accounts Powerhouses (\$371,454) pg. 17
- Capital assets-net - \$14,057. There was a decrease from FY22 of \$16,974 related to depreciation (page 17).
- Lease-related assets -future rent for Suites 201 & 202 (Pg 19) FY23 \$634,711 vs FY22 \$730,455. Less accumulated amortization of (95,744). New standard in FY2022.

Liabilities

Current Liabilities – FY23 \$3,715,632 vs FY22 \$2,199,086

- Accounts Payable \$491,014. Increase over last year. All testing done no issues.
- Berkshire Public Health Alliance (insurance reimbursement) FY23 \$1,131,283 vs. FY22 \$611,368 – restricted money.

- Due to Grantors - \$464,179 – most of this money was due to a DPH Public Health Excellence grant that was unspent. The \$419,426 was returned to DPH in August.
- Advanced grant revenue of \$1,450,373 is more than FY22, which was \$1,087,259. Income will be recorded when the work is completed. The increase is due to more contracts.

Noncurrent liabilities - \$3,916,844

- Contingency fund for Public Health \$9,000
- Accrued Leave FY23 \$139,103 vs FY22 \$119,321
- Lease-related obligation (pg. 19) future lease payments of FY23 Total lease Liability (Ste 201 & 202) \$665,913 minus 2024 Principal payments Ste 201 of \$47,830, minus Principal payments Ste 202 of \$32,426 = \$585,657 Lease Obligation.
- Post-employment benefits other than pensions are \$615,793 less than FY22, \$923,524. The estimated liability is a decrease of \$307,731 from last year. The liability is calculated on an actuary report and then recorded. The discount rate used was higher and the contributions reduced the liability.

Net Position – FY23 \$630,199 VS.FY22 \$321,227

- Invested in capital assets, net of related debt (Depreciation) FY23 14,057 vs. FY22 \$16,674
- Restricted Brownfields Loan Fund and Home Modification loan funds (new FY23) FY23 \$1,040,645 vs. FY22 \$1,067,110
- Unrestricted (deficit) –FY23 \$(424,503) vs. FY22 (\$762,857)

Net Position –

FY23 If you take the Unrestricted (deficit) of (\$424,503) and add back in the estimated post-employment benefits liability of \$615,792, the Commission's net Position would have been \$191,289. BRPC has a positive working fund balance minus the OPEB obligation, an estimated number.

Page 8 –

Statement of Activities –

FY23 Allowance for potential Brownfields uncollectible accounts (\$11,517) (interest) compared to FY22 35,439 for Brownfields Loan Fund.

Page 9 – Statement of Revenue, Expenditures, and the change. This statement looks at the information by putting the Revenues first. State and federal programs revenue FY23 \$3,191,927 vs. FY22 \$3,337,268. Under revenue is the State pension assistance of \$362,053; this is the State's contribution. The local and other programs FY23 \$2,374,926 vs FY22 \$2,636,013. Dave explained they did a lot of testing and found no issues.

Dave explained the Fund balance:

FY23

BRPC's contracts are cost reimbursements. The only money BRPC can add to the Fund Balance is from the General Fund. The excess of revenues over expenditures (change in the BRPC's General Fund) in FY23 was \$335,437. The \$335,437 does not include the Brownfields Fund Balance. The Brownfields Loan Fund column shows the Brownfields Restricted Funding Balance is \$1,015,777 and the Home Modification Loan Fund (CEDAC) Restricted fund balance is \$24,868.

Page 10 – Statement of Revenue and Expenditures (Budget to Actual)

FY23 Budget to Actual schedule shows a gain of \$27,706. The cash gain is the Commission's expenses over its revenue. If you take out the accounting adjustment for the state pension and OPEB the fund balance change shows and actual gain of \$27,706. (see page 14):

Government Fund (DPT. 10)	\$335,437
Adj State pension revenue	(\$362,063)
Adj State pension expenses	\$362,063
OPEB entry	(\$307,731)
Gain	\$27,706

Pages 11 to 13 are notes on the Financial Statements. There have not been any significant changes to the Commission's policies. In FY22 the Commission added the Lease Related Assets and Obligations for accounts for leases in accordance with GASB Statement No. 87.

Page 14 – General Fund there was a gain of \$27,706.

Custodial Credit Risk Related to deposits shows the bank's cash amount at the end of the year of \$2,799,821. Cash was confirmed.

Page 15 – Project receivables for State and Federal receivables compared to the prior year. The Restricted Brownfields Loan Fund – Notes Receivable lists all the revolving loans.

Page 15 – Project Receivables and Restricted Loan Fund descriptions

Project Receivables

State and Federal Receivables	FY23 \$1,083,646 vs. FY22 \$738,400
Other Programs Receivables	FY23 \$ 631,957 vs. FY22 \$1,057,786
Total	FY23 \$1,697,603 vs. FY22 \$1,795,886

Descriptions of the Restricted Loan Fund Programs – Brownfield and Home Modification.

Page 16 Restricted Brownfields Loans (EPA) show loans 2023 vs 2022.

Greylock Works - Loans 1, 2, 3, 4. 0% interest.

2023 & 2022 \$150,000
2023 & 2022 \$100,000
2023 & 2022 \$150,000
2023 & 2022 \$180,000

Powerhouse Loans - 4% interest.

Loan 1 \$350,000	2023 = 194,298	2022 = \$188,781
Loan 2 \$150,000	2023 = 177,156	2022 = \$171,156

Page 17 Restricted Home Modification Loan Program (CEDAC) shows new loan activity for 2023.

Home Modification Loans (CEDAC)

Loan 1 \$49,099	2023 = 14,513
Loan 2 \$20,705	2023 = 10,355

Brownfield Notes and Home Modification receivable(loans) totaled:

FY23 \$976,322 vs. \$939,937 in FY2022.

Allowance for potential uncollectible accounts:

FY23 \$371,454 vs. \$359,937

FY23

Powerhouse Loan #1	\$350,000
Partial payment	(212,110)
Interest accrued	\$56,408
Loan #1	\$194,298
Powerhouse Loan #2	\$177,156

Powerhouse Loans \$371,454* potential uncollectible

*Note: Dave pointed out from an accounting perspective. Adelson took a conservative approach and recorded \$371,454 was to record a possible non-payment. Allowance for Potential uncollectible (\$371,454).

Page 18 – Lease Related Assets and Obligations (new in FY22 GASB 87)

Dave pointed out the new requirement for leases in FY22 on page 19.

Commission has leases for the facility space expiring in 2032.

The lease liability is reduced by the (Principle) payments made.

Page 19 – The Commission amortizes the lease asset in a straight-line method over the term of the lease.

Lease arrangements

Facility rent, Suite 201 – new lease Dec 2021 expires 11/30/2026. There is a renewal option for an additional five years, extending the lease until 11/30/2031. The Commission pays the prorated share of the utilities.

Facility rent, Suite 202 - new lease Dec 2021 expires 11/30/2026. There is a renewal option for an additional five years, extending the lease until 11/30/2031. The additional five years are not included in the measurement of the lease asset and related obligation. The Commission pays the prorated share of the utilities.

As of June 30, 2023, the future obligation for rent payments is \$665,913 vs. FY22 of \$740,022.

Ste 201 until 2032	\$544,926
Ste 201 until 2027	<u>\$120,987</u>
Total	\$665,913

Dave pointed out that all the numbers tie to the balance sheet and are required to be on the balance sheet.

A. Other Postemployment Benefits

GASB requires that special funding paid on behalf of BRPC be recognized. The notes describe BRPC's benefits, the portion paid by BRPC, and the percentage the employees pay for the benefits. The retiree's share of the benefits is funded by the Organization and not paid out of the trust. Adelson agrees not to make payments out of the trust until the OPEB liability is funded.

Page 22 - The fair Market value of the trust as of June 30, 2023, was \$1,223,011.

Actuarial Method and Assumptions used to calculate the total OPEB liability.

Page 23 – Required Supplemental Information Schedule of OPEB

On 6/30/2023, the Commission reported a payable (payment due) for an outstanding contribution to the OPEB plan of \$34,762.

Contributions are a change in the net OPEB liability.

FY22 total OPEB Liability of \$923,524 change of (\$307,731) to \$615,793 equals the total OPEB Liability for FY23. The Commission contributed \$138,008 to the trust. The Sensitivity of the Net OPEB Liability shows what the estimated OPEB Liability would be if the discount rate and the Healthcare Cost trend rates were changed by 1% lower or 1% higher. Adelson does a reasonable check on the numbers that the actuary calculates.

Page 42 – Summary of Auditor's Results – this page results from Adelson's testing of the Commission's financials, including Federal Awards. There were no findings or questioned costs for the year ending June 30, 2023.

Dave explained the Commission is a low-risk auditee. A low-risk auditee requires less testing. BPRC has been a low-risk auditee for several years. This opinion is reported to the federal government.

Page 43 & 44 – Schedule of Expenditures of Federal Awards

Federal Funding – The federal spending must be reported to the Office of Management and Budget through the Federal Clearing House via an electronic filing by Adelson. Adelson also does an opinion for Federal Awards because if there is more than \$750,000 in federal spending, a single audit must be done. Adelson had a good clean opinion. Adelson did very specific testing of things using a Compliance Supplement. A clean opinion will be sent to the Federal government by Adelson.

David explained the management letter on page 3. The comments and recommendations in this letter are based on Adelson's observations during their review. There were no problems during the audit. This was added control.

Comments and Recommendations for the year ended June 30, 2023

Comments and Recommendations

1. The Commission uses a third-party payroll service provider to process payroll, complete required payroll tax filings, and withhold and remit payroll taxes on behalf of the Commission. While the Commission does receive copies of the payroll returns after they are prepared, there is currently no formal procedure in which the Commission verifies the payroll returns are actually filed and the payroll taxes remitted to the appropriate government agencies.

Recommendation:

The Commission should implement a procedure in which the submission of the applicable payroll returns, and payment of the taxes is verified. This may be accomplished by obtaining a confirmation receipt from the payroll service provider that the payroll returns and taxes were transmitted to, and accepted by, the applicable government agencies. The Commission may also obtain access to the Federal EFTPS and Mass Tax Connect websites to verify payment of the taxes. This should be performed on a quarterly basis after each filing is due.

Action Taken:

The Commission has made the following changes and added the following language to its financial policies and procedures:

The Commission has access to the Mass Tax Connect website. The Commission has included in its procedures to verify the payment of Massachusetts quarterly taxes. The Commission also has obtained access to the Federal EFTPS to verify federal tax payments and included in its procedures to verify the payments of Federal quarterly taxes.

Status of Prior Year Recommendations

1. As recommended, the Organization adopted a policy to review and evaluate all lease agreements to ensure proper treatment with ASU 2016-02, *Leases*.

Draft 11/17/2023

Dave Irwin asked if there were any questions.

Dave stated the audit went smoothly and no issues were found.

Buck asked for a motion and if there were any questions.

John asked about the repayment of \$449,426 back to DPH and if there was a negative impact. Tom replied there was no negative impact on the DPH Public Excellence (Shared Services) grant. We did not have the personnel at the time. We are continuing to get funds for Public Health and hiring more staff.

Malcolm asked about the MassDOT overhead rate. MassDOT does audits. BRPC has not audited BRPC in years. The note on page 6-4 regarding MassDOT uses the overhead rate from the prior year. We continue to have an amount due to grantors. This amount due or owed is not paid back until MassDOT performs and audits. Potential due to MassDOT is on the books. BRPC's rate has remained at 140% for years. BRPC eliminated this issue by keeping the rate at 140%. We did try asking to destroy records and eliminate the due to grantor and it did not work.

Kyle Hanlon moved to approve the FY2023 BRPC Audit, which Sam Haupt seconded. It was unanimously approved by roll call vote from Buck Donovan, Sam Haupt, Sheila Irvin, John Duval, and Kyle Hanlon.

IV. OPEB Trust Balance and Fund Fact Sheets - Update and Discussion

Marianne explained the Mission Square (formerly ICMARC) Trust Balance of \$1,282,643.23 as of 12/06/2022. In the audit at the end of June 2023 the balance was \$1,223,011. Also included in the packet were the Fund Fact sheets showing the funds' performance year to date and past 10 years.

V. Vote to Approve Investment Policy Statement and Discussion

Tom explained Adelson has recommended the Commission have an Investment Plan to protect the money in the trust for Other Postemployment Benefits. This is the best business practice.

The committee discussed the draft statement.

It was agreed that Tom would ask BRPC's legal counsel to review the draft investments statement to ensure the draft statement is compliant with the Mass General Law and the section of indemnification of BRPC staff and Commission committee members. Paying Mission Square for a review is also a possibility to review BRPC's Investment Funds to the Draft Investment Policy Statement to ensure that our current Investment Funds comply with the draft statement.

VI. State retirement (employer portion) update

Tom recapped the state retirement employer portion which BRPC is currently exempt from.

Tom explained that the current committee chair wants to force a decision on the proposed legislation requiring RPAs to pay the employer's portion of state retirement. Tom thinks there will be a compromise requiring the RPAs to contribute 2% or 3%, to be negotiated with the Retirement Board. This will be addressed at next week's statewide RPA meeting.

VII. Next Meeting – May 2024 to recommend FY25 Budget or sooner if needed.

VIII. Adjournment

The meeting was adjourned at 5:18 pm by a motion made by Sheila Irvin and seconded by Kyle Hanlon. Adjourned by roll call vote from Buck Donovan, Sam Haupt, Sheila Irvin, John Duval, and Kyle Hanlon.

Attachments:

- Unapproved Minutes of Finance Committee Meeting of 11.13.2023
- FY2023 DRAFT BRPC Audit (Financial Statements)
- BRPC Management Letter Draft (comments & recommendations)
- Adelson Letter to 2023 Audit Commission Members Draft
- Mission Square (formerly ICMARC) Trust Balance 12/06/2022
- Mission Square Fund Fact Sheet (Aggressive, Moderate and Conservative)
- BRPC Investment Policy fir OPEB DRAFT for Approval 12.13.2023
- Mission Square Employer Investment Program (EIP) – Meet your Retiree Health Care Obligations Flyer

EDUCATION

University of Massachusetts Amherst

May 2020

Bachelor of Science

Major, Sustainable Food and Farming | Minor, Community Development

Deans List

PROFESSIONAL EXPERIENCE

Co-Owner, Shire County Cleaning Services

September 2022 - Present

- Operated a successful small business in Berkshire County, MA, achieving a net profit in the first year of business
- Headed marketing, advertising, and social media relations; designing ads on Squarespace and Canva Pro, used Instagram as the main source of advertising to gain clientele and build the company brand
- Enhanced accounting and invoicing systems using Quickbooks business
- Provided quality customer service in person and online

Supervisor, Berkshire Organics

April 2022 - September 2022

- Responsible for ordering, receiving and organizing all company products that were delivered on a daily basis and updated inventory on the company website
- Trained and supervised company employees to fulfill weekly orders in a timely manner while adhering to company standards
- Coordinated with company delivery drivers to schedule weekly deliveries to customers throughout Berkshire County, MA

Livestock Manager, Square Roots Farm

August 2021 - April 2022

- Handled daily management and care of livestock; including cattle, pigs, layers, and broilers on a 185-acre regenerative farm
- Operated large and small farm equipment, including Kubota tractor with multiple implements
- Mapped rotational grazing systems for all livestock; analyzed grazing patterns, pasture regeneration, plant and animal biodiversity
- Recorded sufficient data regarding weather, livestock habits, lay rate, growth rate, diet, illness, treatment, breeding and rearing

Store Manager, HighLawn Farm

May 2020 - August 2021

- Managed a staff of six employees on a daily basis while also serving as a resource to customers, answering questions related to the farm's practices, history, and specialty food products
- Conducted interviews, hired, trained, and scheduled staff members for various store positions
- Developed a set of standard operating procedures as well as, new employee training procedures for staff members to adhere to
- Communicated with local suppliers, businesses, and farms to order merchandise and expand the store's inventory

PRACTICAL EXPERIENCE

Entrepreneurship Business Accelerator Course

September 2023 - December 2023

- Completed an immersive business training, mentorship, and professional networking class for small businesses in Berkshire County, MA

New England Craft Program

Summer 2018

- Participated as a student while apprenticing at Square Roots Farm in a cooperative effort of local organic and biodynamic farms organized to enhance educational opportunities for farm apprentices

RELEVANT SKILLS AND INTERESTS

Software: Proficient in Microsoft Office, QuickBooks Business, Canva Pro, and Squarespace Web Design

Interpersonal: Strong leadership, collaboration, managerial, and business administration skills, highly detail-oriented, with exceptional organizational skills; thrive in both team-oriented and solo work environment. Interested in natural resource conservation, regenerative farming, soil science, gardening, community development through food access, and agriculture policy.

Berkshire Regional Planning Commission (BRPC) BEAD Initial Proposal Volume I and II Comments – 12/14/23

2.2 Unserved and Underserved Locations (Requirement 5)

Comment: To accurately identify all unserved and underserved locations in the Commonwealth, BRPC recommends MBI provide digital equity planning consultants with a .CSV or .GDB of unserved and underserved locations so they can be more easily shared with town residents and leaders for review. The current methodology, which requires that consultants zoom in to the online map to find BSLs, leads to inaccuracies with some points being overlooked or incorrectly transcribed.

2.3.1 Community Anchor Institution (CAI) Additional Categories

Comment: BRPC supports the additional categories noted in the proposal.

2.3.2 Determining Connectivity of CAIs

Comment: BRPC is aware of CAIs in the county not "taking service" due to the high cost of the MB123 network. BRPC recommends MBI contact these sites to learn more about their challenges and determine what price point makes sense to ensure they are taking full advantage of the network's security and speed capabilities rather than paying for service through external enterprise products.

2.4.2 Modifications to Reflect Data Not Present in the National Broadband Map

Comment: BRPC supports the modifications proposed by MBI.

2.4.4 Challenge Process Design

Comment: BRPC seeks further clarification about the role units of local government and nonprofits will need to play to publicize, promote, and educate the public about the challenge process during the 120-day period, beyond what MBI has outlined in the "Transparency" section. BRPC also seeks clarification about a) how MBI will publicize, promote, and educate the public about the more specific Area and MDU challenges for types A, S, L, D, and T; and b) how speed test challenges will be gathered and submitted by units of local government, nonprofit organizations, or internet service providers to MBI.

5. Local, Tribal, and Regional Broadband Planning Coordination (Requirement 2)

Comment: BRPC requests information regarding the Community-Based Organization Service Awards that MBI deployed so that we better understand which entities were chosen and how they conducted their planning and facilitation activities for the "human-centered engagement process for the SDEP and BEAD statewide planning processes, as well as what future implementation activities MBI envisions for these entities in the future.

6. Local Coordination (Requirement 4)

Comment: BRPC has observed the challenge of convening local CBO, faith-based, and local government stakeholders to discuss digital equity because the topic is seen as secondary to their core missions. MBI's goal to *continue collaboration with key stakeholders in the*

Commonwealth (pg. 32-33) may therefore be ambitious unless entities are compensated for the added staff time needed to carry out new digital equity advocacy responsibilities.

7. Deployment Subgrantee Selection (Requirement 8)

Comment: MBI asserts that "The Gap Networks Program may have the capacity to serve most of the unserved and underserved locations in the Commonwealth prior to BEAD funding becoming available," and that "MBI expects that, due to the CPF-funded Gap Networks Program, few or no mass market BSLs may remain by the time the BEAD subgrantee selection process begins." However, based on anticipated responses to Round 1 CPF funding *derived from conversations with ISP contacts*, we have little evidence to suggest ISPs will voluntarily apply to address the remaining unserved and underserved locations in Berkshire County, either through the Gap Networks Program or Round II of BEAD awards (see pg. 36: *invite ISPs to apply for any of the locations that they are willing and able to serve.*).

Given the nature of our county's communities, characterized by a) small overall populations, b) dispersed locations, and c) challenging geography, BRPC does not see ISPs voluntarily responding to these grants to the extent needed to fulfill MBI's vision of 100% availability. Based on our conversations with ISP leaders, we estimate that around 1,700 locations will remain unserved or underserved, even after the GAP Networks Grant Program is awarded.

Furthermore, while municipalities have been asked to provide CPF applicants with letters of support, in some cases local leaders have had little to no engagement with applicants before their submissions to MBI. On page 38, MBI does note that "*Round One applications will be accepted for project areas that serve a municipality or multiple contiguous municipalities, with the consent and approval of those municipalities.*" but it would be better if there was more facilitated dialogue and match-making between towns and ISPs upfront..

Additionally, CPF and BEAD infrastructure buildouts should be closely coordinated with Departments of Transportation, public utility providers, and other entities that will be doing roadwork or similar to potentially reduce costs and model best practices.

Finally, BRPC is concerned that MBI is awarding funds to ISPs that are willing to build at speeds of "***at least 100 Mbps /20 Mbps,***" while in neighboring Vermont, the State's Five-Year Action Plan sets as its vision for the BEAD program having all Vermonters have universal access to reliable, high-quality, affordable, fixed broadband at speeds ***of at least 100/100 megabits per second...***" For rural areas and residents, where few are taking service at even 100/20 now, we risk falling even farther behind as state's around us continue to innovate at faster rates and speeds.

Round One: 300+ Locations Remaining After CPF

Comment: MBI writes that "This approach will focus on municipalities as the geographic units or project service areas and involve municipal governments in finding solutions for their areas." We support the involvement of municipal governments in finding solutions but anticipate that there will be far more than 300+ locations remaining.

Round Two: Remaining Locations

Comment: If BEAD Round Two: focuses on "targeted locations and invite ISPs to apply for any of the locations that they are willing and able to serve," municipalities with the largest remaining number of unserved and underserved BSLs -- *assuming lack of infrastructure or high costs to homeowners or businesses is the contributing factor* – should be first in line for Round Two. More importantly, if no ISP is "willing" to serve, MBI should explore ways to further incentivize or **require** existing ISPs, perhaps based on their coverage ratio, to commit to addressing remaining locations within 5 years, and with consequences if they do not. As many of our town leaders note, for example, the infrastructure underlying to-the-home connections in our region are copper rather than fiber, which is already a lesser technology and will only become further outdated as fiber-to-the-premises (FTTP) becomes the standard. Already, copper wires can only transmit signals for roughly 100 meters while certain single-mode fiber optic connections can transmit data up to 25 miles. Copper also loses more than 90% of its transmission over the same distance, while fiber optic cable loses only about 3% of its signal per 100 meters. **These latter claims are based on online reference sources.*

Round Three: Prequalification (pg. 37)

Comment: In addition to prequalifying applicants based on the criteria noted, MBI should consider evaluating ISPs based on their ability to expand beyond their current geography to additionally agree to serve new regions including rural ones. Such a criterion could be added to the scoring system, with ISPs that operate exclusively or primarily in major metropolitan areas agreeing to pilot service to a rural area being awarded more points.

Round Three: Project Applications (pg. 39)

Comment: As noted previously, BRPC is aware of 114 CAIs in our county (data from Local Linx) that have opted to "not take service" due to the higher cost of the MB123 network as compared to commercial ISP enterprise systems. Item 7V. notes that, as part of the gating criteria for Round III Project Applications, "the CAI consents to and endorses the project, and plans to subscribe to the resulting service." BRPC is concerned that some CAIs may either a) not be in a position to agree to the second part of this criteria in advance or b) agree to the criteria, only to find later that the monthly cost is unsustainable for them and exit the program.

7viii. The budget demonstrates that the ISP will provide matching capital equal to at least 25% of the capital expenditure needed by the project.

7ix. The ISP demonstrates that it has sufficient financing to cover the match.

Comment: The Federal government notes in its BEAD FAQ that match can be provided in multiple ways including through in-kind contributions (see page 44: https://broadbandusa.ntia.doc.gov/sites/default/files/2022-09/BEAD-Frequently-Asked-Questions-%28FAQs%29_Version-2.0.pdf). MBI should do more to emphasize these in-kind options so that more ISPs are inclined to apply, and towns should be provided with more education and information so that they can think creatively about how to help ISPs meet that match.

Comment: #8d. Neighborhood Impact – BRPC agrees that neighborhood impact is a worthy criterion to include in its consideration of providers, particularly because most CAIs are not outward-facing in their service provision.

Scoring Criteria (pg. 39)

Low-Cost Plans - BRPC supports this critical criterion given the potential ending of ACP and its devastating impact on low-income residents.

Serving MDUs at the Enterprise Level - BRPC supports this critical criterion so that the most people are served. BRPC believes higher points should be given in line with the system outlined in the Low-Cost Plan option.

Deconfliction (pg. 45)

Comment: Throughout the document, MBI asserts that it has full confidence that all unserved and underserved locations will be reached by the end of Round III funding. However if, as is stated in the section titled Deconfliction that "broadband providers can only be required to build to territories that they consent to, either through their original application or through a consensual revision of their originally proposed territory," BRPC sees an open door for many small rural towns to be left out of the process, even assuming the iterative process that MBI lays out and requests for ISPs to revise their proposals accordingly to reach neighboring towns. Overall, MBI should be looking at these funding mechanisms as a way to introduce and invite competition into towns and seek creative and strategic ways to do so through a point system that rewards more to ISPs willing to extend themselves beyond their traditional borders.

15. Low-Cost Broadband Service Option (Requirement 16) (pg. 77)

Comment: Ensuring all BEAD-eligible subgrantees in Massachusetts are required to offer a low-cost broadband service option of \$30 per month or less, inclusive of all taxes, fees, and charges, is critical to ensuring Internet for All. It is unclear however whether this price is dependent upon the continuity of ACP or will be set regardless of ACP availability. In focus groups with low-income individuals, BRPC heard repeatedly that low-cost internet should be a right not a privilege and should be treated like a utility rather than a handout contingent upon government or corporate largesse. Individuals noted the "hoops" they have to jump through to qualify for ACP being onerous and felt strongly that whatever comes after ACP should be offered across-the-board in a more straightforward fashion.

16. Middle Class Affordability (Requirement 20) (pg. 79)

Table 10: MA Broadband Pricing Data from BroadbandNow Research

Comment: It is noteworthy that the Average Price Plan in Berkshire County is among the higher ones across the state. While the Federal Communications Commission (FCC) defined a benchmark for reasonable rates for residential broadband service as "2% of monthly household income," conversations with Berkshire County's low- and middle-income households suggest that the 1% rate reported in Table 11 is more realistic and better aligned with real-world budgets. The 1% rate would also put Berkshire County closer to wealthier, urban counties vis a vis their current Average Price Plan rates.

Additional Comments:

Massachusetts should look to encourage the legislature to adopt the Vermont model of creating a statewide Community Broadband Board through an act of the legislature to

accelerate community broadband deployment and coordinate, facilitate, support, and accelerate the development and implementation of universal community broadband solutions. These boards are charged with developing policies and programs to accelerate community efforts that advance the State's goal of achieving universal access to reliable, high-quality, affordable, fixed broadband achieving speeds of at least 100 Mbps symmetrical. Likewise, MBI should consider creating a website similar to that of the Vermont Department of Public Service to make it easier for towns to find in a single place the information they need to approach broadband expansion, especially in rural regions. See as example: <https://publicservice.vermont.gov/vt-community-broadband-board-vcbb/broadband-resources-towns>.

MBI should negotiate alone -- or through alliances with neighboring Northeastern/New England states -- on behalf of small rural towns to lower prices offered by national ISPs. Currently, most rural town leaders have no relationship with their ISP government liaison and thus lack the power to advocate on their residents' behalf. Only through collective action and policy changes at the state or national level can infrastructure costs (i.e., make-ready work) be constrained to incentivize ISPs to reach these locations and, subsequently, prices capped for economically challenged rural residents.



BRPC

Berkshire Regional Planning Commission

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

MEMORANDUM

TO: Delegates and Alternates,
Berkshire Regional Planning Commission

FROM: Thomas Matuszko, Executive Director

DATE: December 29, 2023

RE: **November 2023 Assistance Activities**

This report highlights technical assistance provided by BRPC staff for November 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	Community Development Block Grant (CDGB) guidance	Community Development
Clarksburg	Planning Board training	Planning Board
Egremont	Subdivision review	Planning Board
Lanesborough	Condo housing project	Zoning Board of Appeals
North Adams	Open Space and Recreation Plan review	Community Development
Pittsfield	Open Space and Recreation Plan budget review	Community Development
Savoy	Procurement and culverts	Assessor
Sheffield	Protected land map	Conservation Commission
Berkshire County Municipalities	Transportation of materials review	Rest of River



MEMORANDUM

TO: Delegates and Alternates,
Berkshire Regional Planning Commission

FROM: Thomas Matuszko, Executive Director

DATE: December 11, 2023

RE: **October 2023 Assistance Activities - REVISED**

This report highlights technical assistance provided by BRPC staff for November 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
Clarksburg	Planning Board training	Planning Board
Egremont	Subdivision review	Planning Board
Hinsdale	Road conditions research and consultation	Town Administrator
Lanesborough	Condo housing project, Zoning, Permitting materials	Zoning Board of Appeals, Planner
Lee	Example materials	Affordable Housing Trust
Mount Washington	Outreach to Community Preservation Coalition	Conservation Commission
North Adams	Open Space and Recreation Plan review	Community Development
Pittsfield	Zoning Freeze information; Urban Renewal session	Community Development
Sheffield	Electric vehicle charge	Town
Berkshire County Municipalities	Municipal Planners meeting	Municipal Planners
Berkshire County Municipalities	Rail disposal route research	Rest of River