



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

Executive Committee Minutes

Thursday, April 4, 2024

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 4:00 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, 4:25
Buck Donovan, Treasurer, Lee Delegate
Sheila Irvin, Clerk, Pittsfield 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, 4:08
Sam Haupt, At-Large, Peru Delegate

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

Others: Mary McGurn, Stephen Dravis, Ben Bederson, Virginia Riehl

III. Approval of March 7, 2024 Minutes

Doug McNally moved to approve the March 7, 2024 meeting minutes. The motion was seconded by Buck Donovan and approved by a roll call vote from Malcolm Fick, Buck Donovan, Doug McNally, Roger Bolton, Christine Rasmussen, Kyle Hanlon, and Sam Haupt. Sheila Irvin abstained.

IV. Financial Reports

A. March 1 -28, 2024 Expenditures Report

Doug McNally moved to accept the report, and Roger Bolton seconded the motion. It was approved by a roll call vote from Malcolm Fick, Sheila

Irvin, Buck Donovan, Doug McNally, Roger Bolton, Christine Rasmussen, and Sam Haupt.

B. Accounts Receivable / Assessments Report March 2024

MassCEC check is coming soon. Tom reported that the accounts receivable is in good shape.

C. Line of Credit Report

It has not been used.

V. Suggestions from Berkshire Regional Planning Commission Delegates and Alternates about Items or Topics for Future Meetings

Malcolm stated concerns with the wording of this topic and the lack of opportunity for Commission members to discuss issues without violating Open Meeting Laws. Tom said he would consult BRPC's attorney again. The topic could be changed to allow Delegates and Alternates to share experiences and information without deliberation.

VI. Items Requiring Action

A. Vote to Submit Comments and Recommended Amendments on HB 3551, An Act facilitating site plan review

The Executive Committee was requested to authorize the submission of comments and recommended amendments to HB 3551, An Act facilitating site plan review.

An Act facilitating site plan review (H.3551) is scheduled for a third reading in the House of Representatives. The intent of the bill is to codify site plan review by adding a new Section 7A to MGL Chapter 40A. All municipalities (except Boston) would be required to bring bylaws or ordinances into compliance with this new Section 7A. CJ Hoss was present to explain that while there are some merits to the proposed bill, the Massachusetts Municipal Lawyers Association (MMLA) has flagged a few issues and recommended changes. Even without the recommended changes, he said the bill is worth supporting. To date, the MMLA's recommended changes have been adopted.

CJ's impression of the Massachusetts Municipal Lawyers Association is the letters' overall cleanup of the land use bill reduces conflicts in the law, and there are positive things that fix gray areas. BRPC agrees. Tom reported two key takeaways: not only can planning boards use this, but other boards can use it. Also, the bill eliminates duplication in the new legislation.

Roger Bolton motioned to authorize the submission of comments strongly supporting the Massachusetts Municipal Lawyers Association's (MMLA) recommended amendments to HB 3551, An Act facilitating site plan review. Doug McNally seconded it. A roll vote was approved by Malcolm Fick, John Duval, Buck Donovan, Sheila Irvin, Doug McNally, Roger Bolton, Christine Rasmussen, Kyle Hanlon, and Sam Haupt.

B. Vote to Approve the Salary Merit Increase Range and Personnel Pay Plan for FY 25

BRPC employees do not have automatic pay increases such as step increases or a cost of living increase. According to BRPC's contract with MassDOT, straight Cost of Living increases are not allowed. Therefore, all pay increases are based on performance as documented in written performance evaluations. BRPC tries to ensure that employees do not lose ground financially one year to the next. This year, the Northeast Urban Cost of Living increased by 2.5% from February 2023 to February 2024. According to our previous practice, this increase of 2.5% sets the base on which merit increases are added. The following merit increases were proposed for FY 2025 based on performance ratings:

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

Roger Bolton motioned to approve the proposed FY 2025 base pay increase of 2.5% and the above merit pay percentage increases. Sheila Irvin seconded it. A roll vote was approved by Malcolm Fick, John Duval, Buck Donovan, Sheila Irvin, Doug McNally, Roger Bolton, Christine Rasmussen, Kyle Hanlon, and Sam Haupt.

C. Vote to Approve the Submission of a Grant Application to MassCEC's EMPower Innovation and Capacity Building Program

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

The Environmental and Energy Program is applying for a \$50,000 grant to improve their project management process, allow for better community assessments, and the Program's ability to seek resources to meet the demands of electrification and climate resilience. There is no match requirement. Primary staff contact is [Sherdyl Fernandez-Aubert](#).

Doug McNally motioned to authorize the Executive Director to submit a grant application to the MassCEC EmPower Innovation and Capacity Building Program for \$50,000 and to sign any resulting contracts and agreements. Kyle Hanlon seconded it. A roll vote was approved by Malcolm Fick, John Duval, Buck Donovan, Sheila Irvin, Doug McNally, Roger Bolton, Christine Rasmussen, Kyle Hanlon, and Sam Haupt.

D. Vote to Approve Submission of a Grant Application to MassCEC's EMPower Implementation Grant Program

The Executive Committee was requested to authorize the Executive Director to submit a grant application to the MassCEC EmPower Implementation Grant Program and to sign any resulting contracts and

agreements.

The Environmental and Energy Program is applying for a \$300,000 grant to fund the development and deployment of an energy coaching program in partnership with Central Berkshire Habitat for humanity. The partnership aims to serve Pittsfield residents in environmental justice neighborhoods and market-rate energy consumers to navigate Energy Efficiency incentives at the State and Federal level. This is a continuation of the Gray to Green Project. There is no match requirement. Staff contact is [Sherdyl Fernandez-Aubert](#).

Roger Bolton motioned to authorize the Executive Director to submit a grant application to the MassCEC EmPower Implementation Grant Program for \$300,000 and to sign any resulting contracts and agreements. Sheila Irvin seconded it. A roll call vote was approved by Malcolm Fick, John Duval, Buck Donovan, Sheila Irvin, Doug McNally, Roger Bolton, Christine Rasmussen, Kyle Hanlon, and Sam Haupt.

VII. Committee Reports and Discussion

A. Berkshire Brownfields Committee

The Brownfields Committee met on March 8, approved additional assessments on previously approved sites, and considered approving sites at Rising Pond, Great Barrington, Niagara Mill, Lenox, among others. A summary of projects is in the works. Draft minutes have not yet been prepared. It was reported that the committee approved a loan for the Eagle Mill in Lee. Assessment projects were also discussed.

B. Commission Development Committee

The Commission Development Committee met on March 14, 2024 and confirmed pursuing a 5th Thursday networking and education event on micro transit on May 30th. Inactive municipalities were discussed and committee members agreed to contact those they know. Laura will share contact information. Draft minutes are in the packet.

C. Transportation Advisory Committee (TAC)

The TAC met on March 19, 2024. The main topic was the 2025 – 2029 Transportation Improvement Program, a review of three potential scenarios, and a vote for #2. The stormwater issue on East St., Pittsfield is resolved so that project will go forward. There was a presentation on the Safe Streets and Roads initiative, and pending MADOT projects were discussed. Draft minutes are in the packet. TAC has more local representatives vs. the MPO which has more state officials. The next meeting is scheduled for April 16, 2024. Sam reported that the stormwater issue for the East Street project in Pittsfield has been resolved and is going out to bid.

D. Municipal Planning Organization (MPO)

The MPO met on March 26. The main topic was the development of the 2025 – 2029 Transportation Improvement Program or TIP and project evaluation

scores. There was an update on the Safe Streets and Roads safety initiative. The chronic lack of funding was discussed and the need to tie Chapter 90 funding to inflation. Draft unapproved minutes are in this meeting's materials. The next meeting is scheduled for April 23, 2024. The TAC and MPO discuss the same issues; however, the processes and attendees differ. The MPO endorses the TAC actions. Tom reported that Jonathan Bulter from Berkshire is on a new commission to fund transportation. There is a need for more money and reduced costs. One example would be a standard culvert design. Sam reported that the rural allocation of funds from Chapter 90 is money for the population under 10,000. The cost of repairing local roads has increased.

Finance Committee

Marianne reported that the Finance Committee would meet to recommend the FY25 budget.

VIII. Executive Director's Report

A. Report on New Contracts/Agreements

New Grants and Contracts received/initiated from 03/01/24 – 03/28/2024

- Peru – Procurement Services - \$1,875
- Berkshire Gas and National Grid - Mass Save Community First Partnership - Adams & North Adams - \$25,000
- Berkshire Gas, National Grid and Eversource - Mass Save Community First Partnership - Great Barrington & Lee - \$25,000
- Hancock – Municipal Vulnerability Preparedness - \$2,000
- Pittsfield – Open Space & Recreation Planning - \$5,311
- New England Rural Health Association – Rural Vaccine Equity Initiative - \$75,000

Grants and Contracts not received.

We are not aware of any grants that have not been received.

B. Berkshires Tomorrow Inc. (BTI) Update

The BTI board approved the 4th Amendment to the BTI bylaws to change the election of officers to biannually from annually.

C. Staff Updates

- Recent Hires
 - Summer Intern – Liana Rice (Arts & Culture)
 - Public Health Nurse Educator – Sophie Carnes Jannen

Open Positions:

- o Public Health Community Social Worker

D. Rural Policy Advisory Commission (RPAC) Update

The Rural Policy Advisory Commission met on March 8, 2024. The main agenda items were an update on legislative items, including the state budget, housing bond bill, economic development bond bill and presentations about microtransit from FRTA Access, GATRO GO, and the Quaboag

Connector.

E. Passenger Rail

- West-East Rail – No known activity over the last month
- Berkshire Flyer - No known activity over the last month.
- Northern Tier Passenger Rail – The consultant team held a working group meeting on March 21, 2023 and a public meeting on March 28, 2024 to present the latest developments in this study. According to the consultants, this study is entering the final stage with a draft final report coming in the next few months.

F. MassDOT Transportation Innovation Conference 2024

[The MassDOT Transportation Innovation Conference](#) will be held on April 30 & May 1, 2024 at the DCU Center, Worcester, MA. The conference provides a forum for transportation practitioners and researchers to share knowledge on innovative technologies, projects, and processes to enhance efficiency and address important transportation issues. UMTC/Baystate Roads – UMTC (umasstransportationcenter.org)

G. MMA Western and Rural Mass Conference

Please save Saturday morning April 27, 2024 (not April 6) for the MMA Western and Rural Mass Conference at the Hotel Northampton, Northampton. This has become an annual event for local officials to network and learn current information about important matters impacting their communities. Select Board Association Western and Rural Massachusetts [Conference - Massachusetts Municipal Association \(MMA\)](#).

H. 5th Thursday, May 30, 4:00 – 6:00 p.m.: Microtransit

BRPC's 5th Thursday will return on May 30th from 4-6 pm at Mazzeo's Ristorante in Pittsfield. The topic will be Micro transit. Tickets are available at: <https://www.eventbrite.com/e/brpc-5th-thursdaymicrotransit-tickets-872639707857>

I. Consent to Reduce the 120-day Notification Requirement for Two APR Applications

Tom reported he approved two requests to reduce the 120-day notification requirements for APRs (Agricultural Preservation Restrictions) in Sheffield on the Pine Island Farm Partnership (444.35 acres) and Rebecca Myers Thomas (56.99 acres) applications.

J. Commission on Energy Infrastructure Siting and Permitting Recommendations

The Commission on Energy Infrastructure Siting and Permitting (Commission) was established by Executive Order 620 to recommend legislative, regulatory, and administrative reforms to reduce permitting timelines, ensure communities are meaningfully engaged and are able to provide input in the siting and permitting of clean energy infrastructure, and

to share the benefits of the clean energy transition equitably. Previously, BRPC submitted comments on the Commission's draft proposal, which was to significantly alter permitting of "clean energy infrastructure." The Commission's report was released on March 29, 2024 (a copy is attached.)

CJ reported on page 9 that the thresholds are not agreeable. CJ pointed out the size and the local review for Berkshire County. Sheila commented that there is not enough representation from towns and cities. Local municipalities need to be represented. Christine raised concerns about the 90-minute hearings. CJ reported that this is information only and is unsure of the next steps.

K. Beyond Mobility Report

Massachusetts' 2050 Statewide Long Range Transportation Plan, Beyond Mobility, is a strategic plan that documents the most pressing transportation issues for the Commonwealth of Massachusetts to address both now and in the future. The plan and executive summary are available for review and public comment at: [Beyond Mobility | Mass.gov](#). The comment period ends May 5th, 2024.

IX. Old Business

None

X. New Business

A. Discussion About a More Focused Approach Related to Proposed Legislation

Discussion was held about how BRPC should focus on proposed legislation. Should there be more emphasis from the Executive Committee or Regional Issues Committee? Another option presented was to form another committee. Should the Berkshire County Selectmens Association and BRPC have a joint committee of legislation? Other groups, such as Berkshire United Way or Social Services, could also be included, including non-commission members.

B. May 16 Commission Meeting

Topics – Environmental Review Committee review of transmission lines

- New England Power
- Eversource – Readsboro, VT to Adams
- Presentation by the West-East Rail Director

XI. Adjournment

Kyle Hanlon motioned to adjourn the meeting at 5:16 p.m., seconded by Roger Bolton, and unanimously approved by a roll call vote: Malcolm Fick, John Duval, Sheila Irvin, Buck Donovan, Doug McNally, Roger Bolton, Christine Rasmussen, Kyle Hanlon, and Sam Haupt.

Attachments:

- Unapproved Minutes of the March 7, 2024, BRPC Executive Committee Meeting

- March 1, 2024 to March 28, 2024 Expenditures Report
- Accounts Receivable Report – March 2024
- Line of Credit Report
- Executive Director's Memorandum
- Proposed FY 25 Personnel Pay Plan
- Unapproved Minutes of the March 14, 2024 Commission Development Committee Meeting
- Unapproved Minutes of the March 19, 2024 Transportation Advisory Committee Meeting
- Unapproved Minutes of the March 26, 2024 Metropolitan Planning Organization Meeting
- Resume – Liana Rice
- Resume – Sophie Carnes Jannen
- Proposed APR maps - Sheffield