



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, May 2, 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
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
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; Melissa Provencher, Environmental and Energy Program Manager 4:30

III. Approval of April 4, 2024 Minutes

Roger Bolton moved to approve the April 4, 2024, meeting minutes with Sheila Irvin's amendment that she was present for affirmative votes on the Actions under section VI. The motion was seconded by Doug McNally and approved by a roll call vote from Malcolm Fick, Buck Donovan, Sheila Irvin, Doug McNally, Roger Bolton, Christine Rasmussen, and Sam Haupt.

IV. Financial Reports

A. March 29 – April 25, 2024 Expenditures Report

Clarifying questions:

17942 - \$4680 to Berkshires Tomorrow, Inc. is for software leasing; as a not-for-profit, BTI gets a better rate than BRPC leases.

17954 - Flying Cloud is a subcontractor that promotes STEM education to girls

17980 – Full Circle Technology is the online permitting software provider for

building and boards of health inspectors; there were recent software upgrades @ approximately \$7000 per municipality.

Roger Bolton moved to accept the report, and Sheila Irvin 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 April 2024

Tom reviewed some of the outstanding invoices.

C. Line of Credit Report

It has not been used.

V. Comments from Berkshire Regional Planning Commission Delegates and Alternate Delegates

None

VI. Items Requiring Action

A. Vote to Amending BRPC's Vacation Accrual Policy

The Executive Committee was requested to approve amending BRPC's vacation accrual policy to state that once 175 hours are accrued, employees will stop accruing vacation leave.

Employees currently over the 175 hour limit would not lose that overage amount; they will stop accruing any new time until they lower that amount to 175, with the plan to get down to 140 or below. This policy would go into effect July 1, 2024.

Doug McNally motioned to approve amending BRPC's vacation accrual policy to state that employees will stop accruing vacation leave once 175 hours have been accrued. Roger Bolton seconded it. A roll vote was approved by Malcolm Fick, Buck Donovan, Sheila Irvin, Doug McNally, Roger Bolton, Christine Rasmussen, and Sam Haupt.

B. Vote to Approve the Submission of a Grant Application to the Massachusetts Community One Stop for Growth Program for the Sustainable Berkshires Update

The Executive Committee was requested to authorize the Executive Director to submit a grant application and sign any resulting contracts and agreements to the Massachusetts Community One Stop for Growth Program for the Sustainable Berkshires Update. This project will evaluate goals and actions laid out in the Sustainable Berkshires regional comprehensive plan in 2014, develop updates that address changes in the region over the past decade, and develop a more manageable action plan for the future. The amount requested is \$200,000. Community Planning Program Manager [CJ Hoss](#) is the project lead.

Roger Bolton motioned to authorize the Executive Director to submit a grant application and sign any resulting contracts and agreements to the Massachusetts Community One Stop for Growth Program for the Sustainable Berkshires Update for \$200,000. Doug McNally seconded it. A roll vote was approved by Malcolm Fick, Buck Donovan, Sheila Irvin, Doug McNally, Roger Bolton, Christine Rasmussen, and Sam Haupt.

C. Vote to Approve the Submission of a Grant Application to the Massachusetts Department of Environmental Protection Section 319 Nonpoint Source Pollution Competitive Grant Program

The Executive Committee was requested to authorize the Executive Director to submit a grant application to the MA Department of Environmental Protection (MassDEP) Section 319 Nonpoint Source Pollution (NPS) Competitive Grant Program for an Environmental Justice NPS Coordinator.

BRPC would serve as an Environmental Justice NPS Coordinator (EJ Coordinator), conduct NPS-focused capacity-building work, and meaningfully engender environmental stewardship in disadvantaged communities. This work would include engaging local communities through robust outreach and education, training, capacity building, development of watershed-based plans, supporting or undertaking the development and submittal of high-quality proposals for future §319 Implementation projects and other grants that can serve as a source of non-federal match.

This is anticipated to be a three year project. No match is required. Staff contacts for this project are Environmental & Energy Program Manager [Melissa Provencher](#) and Principal Environmental Planner [Courteny Morehouse](#).

Doug McNally motioned to authorize the Executive Director to submit a grant application to the MA Department of Environmental Protection (MassDEP) Section 319 Nonpoint Source Pollution (NPS) Competitive Grant Program for an Environmental Justice NPS Coordinator. Sam Haupt seconded it. A roll vote was approved by Malcolm Fick, Buck Donovan, Sheila Irvin, Doug McNally, Roger Bolton, Christine Rasmussen, and Sam Haupt.

D. Vote to Approve Submission Comments to the Massachusetts Environmental Policy Act (MEPA) Office on the Final Environmental Impact Report (FEIR) on the New England Power (NEP) E131 Asset Condition Refurbishment Project – (EEA#16663)

The Executive Committee was requested to approve the submission of comments to MEPA on the FEIR on the New England Power E131 Asset Condition Refurbishment Project. The FEIR for this project was filed with MEPA. The Environmental Review Committee prepared the comments. The main issue is that the FEIR doesn't address the important issue of increasing capacity. What happens next is up to the Secretary's discretion. Thanks were given to Melissa Provencher for her work on the review.

Roger Bolton motioned to authorize the Executive Director to submit

comments to MEPA on the FEIR on the New England Power E131 Asset Condition Refurbishment Project and send them to the Secretary of Energy and Environmental Affairs. Doug McNally seconded it. A roll call vote was approved by Malcolm Fick, Buck Donovan, Sheila Irvin, Doug McNally, Roger Bolton, Christine Rasmussen, and Sam Haupt.

E. Vote to Approve the Submission of Comments to the Massachusetts Environmental Policy Act (MEPA) Office on the Final Environmental Impact Report (FEIR) on the NSTAR Electric Company/Eversource WT-02 Transmission Right-of-Way Reliability Program (TRRP) – Final EIR (EEA File No. 16567)

The Executive Committee was requested to approve the submission of comments to MEPA on the FEIR on the NSTAR Electric Company/Eversource WT-02 Transmission Right-of-way Reliability Program (TRRP). The FEIR for this project was filed with MEPA. The Environmental Review Committee prepared the comments.

Roger Bolton motioned to authorize the Executive Director to submit comments to MEPA on the FEIR on the NSTAR Electric Company/Eversource WT-02 Transmission Right-of-way Reliability Program (TRRP) and send them to the Secretary of Energy and Environmental Affairs. Doug McNally seconded it. A roll call vote was approved by Malcolm Fick, Buck Donovan, Sheila Irvin, Doug McNally, Roger Bolton, Christine Rasmussen, and Sam Haupt.

F. Vote to Approve Subaward Monitoring Policy

BRPC must comply with monitoring requirements when receiving direct federal funds passed through to subrecipients, including having a policy. These requirements are based on a risk assessment that must be conducted regarding the subrecipient's ability to comply with federal spending and reporting requirements using financial information provided by the subrecipient before being under contract. The level of required monitoring of the subrecipient is then based on the level of perceived risk that the subrecipient will or will not be able to comply. BRPC will give awardees a copy of the policy. This policy will better prepare BRPC for a federal audit.

Roger Bolton motioned to approve the Subaward Monitoring Policy. Christine Rasmussen Irvin seconded it. A roll call vote was approved by Malcolm Fick, Buck Donovan, Sheila Irvin, Doug McNally, Roger Bolton, Christine Rasmussen, and Sam Haupt.

G. Vote to Approve Amendments to BRPC's Professional Development Program

The draft amendments were not ready, but the Committee discussed amending the Professional Development Program. Some repayment would be required if employees leave within two years of completing an educational program. To be confirmed if that would be just the training cost or also staff time.

VII. Committee Reports and Discussion

A. Comprehensive Economic Development Strategy Committee

The CEDS Committee met on April 10, 2024. The main agenda topics were a report from Cody Chamberlain, an Economic Recovery Corps member working with 1Berkshire, and a discussion of Goals and Objectives and Priority Projects to be included in the Annual CEDS Progress Report, which this year is due by June 30th. Draft unapproved minutes were in the meeting material.

B. Metropolitan Planning Organization (MPO)

The MPO met on April 23, 2024. The main items discussed were the development of the 2025 – 2029 Transportation Improvement Program, a presentation on the Massachusetts transportation plan, Beyond Mobility, and an initial review of the proposed Federal Fiscal Year Unified Planning Work Program. The UPWP will be approved at the May 28 meeting. Draft unapproved minutes were in the meeting material.

C. Regional Issues Committee

The Regional Issues Committee met on April 28, 2024. The main topics on the agenda were follow-up items related to site plan review legislation and the Commission on Energy Infrastructure Siting and Permitting and discussion about housing priorities concerning the upcoming listening sessions for a statewide Housing Plan and possible formation of a BRPC Legislative Affairs or Government Relations Committee. Meeting minutes were not yet available.

D. Finance Committee

The Finance Committee met on April 30 and approved the fiscal year 2025 budget to present at the May 16 Commission meeting.

E. Environmental Review Committee

The Environmental Review Committee met on April 30 and reviewed and approved comments on the two FEIRs that were filed related to transmission lines. MEPA's project review procedures may be shared before the next meeting.

VIII. Executive Director's Report

A. Report on New Contracts/Agreements

New Grants and Contracts received/initiated from 03/29/2024 to 04/25/2024.

- Lee – Complete Streets - \$29,564
- Savoy – Roads & Culverts Assessment - \$17,300
- Franklin Regional Council of Governments – Medical Reserve Corps - \$44,112
- Public Health Institute of Western MA – Berkshire County Focus Group - \$1,000

- Executive Office of Housing and Livable Communities – District Local Technical Assistance - \$214,214
- Executive Office of Housing and Livable Communities – Augmentation Allocations - \$142,809

Grants and Contracts not received.

We did not receive the Promoting Resilient Operations for Transformative, Efficient, and Cost saving Transportation (PROTECT) program.

B. Berkshires Tomorrow Inc. (BTI) Update

The BTI board approved Berkshires Tomorrow, Inc. to accept a grant from Mill Town Foundation for \$25,000 to support the Berkshire Benchmarks initiative for \$15,000 and the Berkshire Funding Focus program for \$10,000.

C. Staff Updates

- Recent Hires:
 - Aleesha Siddiqui – Digital Equity Intern
 - Luke Pelowski – Outdoor Recreation Intern
- Open Positions:
 - Public Health Community Social Worker
 - Public Health Planner (Epidemiologist)(Offer made)
- Terminations:
 - June Axt – Public Health Nurse – part-time (Has not worked in 2 years)

D. Rural Policy Advisory Commission (RPAC) Update

The Commission did not meet in April 2024. Comments were submitted on the Affordable Homes Act (Housing Bond Bill) and to the Chairs of the Legislative Rural Caucus on the Mass Leads Act (Economic Development Bond Bill). Comments were included in the meeting materials.

E. Passenger Rail

- West-East Rail – Tom attended a meeting sponsored by Congressman Neal to review MassDOT's effort related to passenger rail. This effort is called Compass Rail and includes efforts to establish/enhance passenger rail service through Springfield for both north and south and west and east services. The so-called inland route would establish two round trips between Springfield and Boston. Funding has been obtained for needed track improvements, with design work to begin this summer and construction to begin in 2027. Service to Pittsfield has been included in the proposed Boston and Albany service. MassDOT has received federal Corridor ID Program funding to develop a service plan for the Boston and Albany service. Along with that service plan, work has already been funded to improve the track capacity in Pittsfield. MassDOT intends to have the Compass Rail plan fully operational by 2045.
- Berkshire Flyer – Amtrak announced the third season of the Berkshire Flyer service with weekend passenger rail service between New York City and Pittsfield. It will run from June 21 through Monday, September 2, 2024. An additional train will run from New York City to Pittsfield on

- Sunday morning. A press release was in the meeting materials.
- Northern Tier Passenger Rail – No known activity over the past month

F. Rural Road Funding Available

The Massachusetts Department of Transportation has announced that \$25 million in supplemental funding in a fiscal 2024 transportation bond bill is available to municipalities for road and bridge repair and construction. By statute, the Rural Roadway Funding Program will be distributed to all communities through a formula that favors rural communities, with apportionments based 20% on road miles, 20% on population, and 60% on whether a community is considered rural. For this program, rural communities are defined as having a population of less than 10,000 and a population density of fewer than 500 people per square mile. On April 9, MassDOT said apportionments have been added to each city and town's Chapter 90 account.

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

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

H. Beyond Mobility Plan Public Comment Period

[Beyond Mobility](#) is the name of MassDOT's long-range transportation plan. The plan identifies six priority areas: safety, destination connectivity, travel experience, reliability, supporting clean transportation, and resiliency, along with over 100 action items. MassDOT is soliciting public comments which can be submitted at [Beyond Mobility Comment Form \(qualtrics.com\)](#) through May 31, 2024.

I. Berkshire County Digital Equity Summit

The Alliance for Digital Equity, a coalition representing four counties and 62 organizations in Western MA, is sponsoring a convening on advancing digital equity in the Berkshires on Friday, May 10, from 9:30 a.m. to 3 p.m. at The Common Room of Zion Lutheran Church in Pittsfield. Registration is required at [Berkshire County Digital Equity Summit Tickets, Fri, May 10, 2024 at 9:30 a.m. | Eventbrite](#). Participants will learn about digital equity services, planning, and resources being offered, such as digital skills, laptop devices and hotspots, and other collaborative opportunities.

J. Unlocking Housing Production Listening Session

As part of developing a five-year strategic statewide housing plan, a listening session will be held at Berkshire Community College on Wednesday, May 15, 2:00 – 4:00 p.m. This plan would include strategies for increasing housing production, preserving and upgrading existing housing stock, supporting individuals and families struggling with homelessness, and using housing to create economic mobility for all. Registration is required. (Register [HERE.](#))

IX. Old Business

A. Discussion about State Retirement Legislation

As has been reported over the years, the state retirement system, which many Regional Planning Agencies (RPAs) are a part of, did not invoice RPAs for the employer share. An audit of the state retirement system identified this error, and the state retirement system has been trying to collect the employer share from those RPAs, in many instances hundreds of thousands of dollars in supposed arrears. BRPC had special legislation which exempted us from the employer share.

However, the retirement system is trying to make BRPC pay the employer share. For years, both sides have proposed legislation, in the case of the RPAs, to formally state that we are exempt from the employer share. The RPA bills this year, H. 2426 and S. 1682 (An Act Relative to Regional Planning Agencies), have advanced further through the legislative process than in previous years. H. 2426 was reported favorably by the Public Service Committee and was ordered to third reading. S. 1682 was reported favorably out of the Committee on Public Service and referred to the committee on Senate Ways and Means.

X. New Business

A. May 16 Commission Meeting

Potential topics:

- Compass Rail presentation: While we have been using the Commonwealth's recently released Economic Development Plan as a framework for future meeting topics, Tom reached out to the West-East Rail Director, who is available to provide an update on the Commonwealth's plan for passenger rail services, so-called Compass Rail, especially related to west-east service.
- CEDS Annual Update
- Transportation Document Approval (TIP & UPWP) – to guide representatives on voting at the MPO meeting.
- FY 25 BRPC Budget Approval
- MassSAVE proposed changes that may impact municipalities

B. Annual Meeting

Tom asked for input on whether BRPC should plan on in-person annual meeting and, if yes, when and what format. Ideas include a breakfast event and joining other county-wide organizations (s) to attract a larger audience. Possible topics include attracting people to municipal work. The Select Board Association is no longer functioning.

C. FY 25 BRPC Budget

A \$6.6 million conservative fiscal year 2025 budget was reviewed, including only confirmed revenue. Additional revenue will be added as confirmed. The Finance Committee reviewed it and recommended approval at the May Commission meeting.

XI. Adjournment

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

Attachments:

- Unapproved Minutes of the April 4, 2024, BRPC Executive Committee Meeting
- March 29, 2024 to April 25, 2024 Expenditures Report
- Accounts Receivable Report – April 2024
- Line of Credit Report
- Executive Director's Memorandum
- BRPC Vacation Leave Accrual Amendment
- Draft – Subaward Monitoring Policy
- Unapproved Minutes of the April 10, 2024 Comprehensive Economic Development Strategy Committee Meeting
- Unapproved Minutes of the April 23, 2024 Metropolitan Planning Organization Meeting
- Intern Resume – Aleesha Siddiqui
- Intern Resume – Peter Luke Pelowski
- Rural Policy Advisory Commission Comments on the Affordable Homes Act
- Rural Policy Advisory Commission Comments on the Mass Leads Act
- Compass Rail summary
- Berkshire Flyer Announcement
- BRPC 5th Thursday Announcement
- February and March 2024 Technical Assistance Memo