



BRPC

Berkshire Regional Planning Commission

MALCOLM FICK, Chair
JOHN DUVAL, Vice-Chair
SHEILA IRVIN, Clerk
BUCK DONOVAN, Treasurer
THOMAS MATUSZKO,
Executive Director

Executive Committee Minutes Thursday, June 6, 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 4:01 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 Clerk

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

Others: Cory Campbell, Windsor Alternate, left early

Staff Present: Thomas Matuszko, Executive Director; Marianne Sniezek, Office Manager; Laura Brennan, Assistant Director, and Economic Development Program Manager; Aaron Holman-Vittone, Public Health Planner

III. Approval of May 2, 2024 Minutes

Doug McNally moved to approve the May 2, 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 Roger Bolton and approved by a roll call vote from Malcolm Fick, Buck Donovan, Sheila Irvin, Doug McNally, Roger Bolton, Christine Rasmussen, and Sam Haupt.

Staff Updates

Recent hire Aaron Holman-Vittone, Public Health Planner and Epidemiologist, was introduced. He is collecting and analyzing data.

IV. Financial Reports

A. April 26 – May 30, 2024 Expenditures Report

Tom confirmed that the large \$700,000 check came out of the checking

account to the Eagle Mill project. The funds were from the EPA Brownfields Revolving Loan Fund (RLF), drawn down as needed and briefly passed through the checking account. There is a five-day limit.

The RLF is not invested. Program income is kept to a minimum in a non-interest account; this improves our eligibility for new grants.

Sam Haupt moved to accept the report, and Doug McNally 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 noted the item in blue was invoiced for \$45,000, and a \$10,000 payment was made, so we are following up.

C. Line of Credit Report

It has not been used.

D. EPA's Limited Scope Review

An EPA review of several contracts is underway. A letter in the packet explains that BRPC was selected at random.

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

Roger Bolton said he appreciated the 5th Thursday Microtransit.

VI. Items Requiring Action

A. Vote to Approve (After the Fact) 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 approve submitting a grant application for \$63,824 to the Massachusetts Department of Environmental Protection Section 319 Nonpoint Source Pollution Competitive Grant Program for a rain garden installation at the George B. Crane Memorial Center.

The Crane recovery center is in the Westside neighborhood of Pittsfield and is a Grey to Green partner. This project was developed under BRPC's current s.319 Nonpoint Source Regional Coordinator grant, which requires a deliverable of four 319 grant applications as part of the deliverables.

The project would pay for BRPC to hire a consultant to design and install a rain garden that manages stormwater. Energy & Environment Program Principal Planner, [Courteny Morehouse](#), and Planner, [Britney Danials](#), would assist with grant administration and outreach. It is anticipated to be a 1-year project from January 2025 to January 2026. There is no match requirement.

Doug McNally motioned to approve submission of a grant application to the Massachusetts Department of Environmental Protection Section 319 Nonpoint Source Pollution Competitive Grant Program for \$63,824 for a rain garden installation at the George B. Crane Memorial Center. 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 Re-appoint Members to Special or Standing Committees or Commissions not Under the Jurisdiction of the Commission

The Executive Committee was requested to re-appoint members to Special or Standing Committees or Commissions not Under the Jurisdiction of the Commission. The bylaws allow the Executive Committee to annually re-appoint members to committees, commissions or the like not under the jurisdiction of the Commission after the initial appointment, subject to ratification by the full Commission at its next meeting.

The Executive Committee was requested to re-appoint:

- Westfield River Wild and Scenic – Doug McNally
- Woodlands Partnership of Northwest Massachusetts - Chris Cozzaglio
- MPO Alternate - Sam Haupt

Sam Haupt motioned to re-appoint the proposed Members to Special or Standing Committees or Commissions not Under the Jurisdiction of the Commission: Westfield River Wild and Scenic, Doug McNally; Woodlands Partnership of Northwest Massachusetts, Chris Cozzaglio; MPO Alternate, Sam Haupt. Christine Rasmussen 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 Amendments to BRPC's Professional Development Program

The Executive Committee was requested to approve amendments to BRPC's Professional Development Program as discussed at the previous meeting. The Program is intended to provide the opportunity for staff to maintain, enhance or expand their professional skill set and knowledge and to obtain related professional certifications or degrees which demonstrate achievement and maintenance of professional status. Participation is not mandatory and is subject to approval by the Executive Director. Participants must agree to repay BRPC 100% (direct and salary costs) if they leave prior to one year after completing the Program, or they do not complete the Program. If an employee leaves prior to two years after completing the Program, they are responsible for reimbursing BRPC 50% of the direct and salary costs. The Executive Director has the discretion to adjust the policy if needed.

Roger Bolton motioned to approve amendments to BRPC's Professional Development Program expanding eligibility and requiring repayment if Programs are not completed or employees leave prior to two years after completion. 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 Revisions to BRPC's Telework Policy

The Executive Committee was requested to approve a one year extension to BRPC's Telework Policy. It was originally adopted as a trial in response to the COVID pandemic.

Doug McNally motioned to approve extending BRPC's Telework Policy for another fiscal year. Sam Haupt 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 Authorize the Environmental Review Committee to submit Comments to the Massachusetts Environmental Policy Act Office the City of North Adams Department of Public Services Expanded Environmental Notification Form (EENF) for the Mount Williams Reservoir Dam and Notch Reservoir Dam Improvements Projects.

The Executive Committee was requested to authorize the Environmental Review Committee to submit Comments to the Massachusetts Environmental Policy Act Office the City of North Adams Department of Public Services Expanded Environmental Notification Form (EENF) for the Mount Williams Reservoir Dam and Notch Reservoir Dam Improvements Projects. These provide water for North Adams.

Comments are due June 20, 2024, before the next regularly scheduled Executive Committee meeting.

Roger Bolton motioned to authorize the Environmental Review Committee to submit Comments to the Massachusetts Environmental Policy Act Office the City of North Adams Department of Public Services Expanded Environmental Notification Form (EENF) for the Mount Williams Reservoir Dam and Notch Reservoir Dam Improvements Projects. 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.

VII. Committee Reports and Discussion

A. Comprehensive Economic Development Strategy Committee

The CEDS Committee met on May 8, 2024 and discussed the Year 1 PPR report to EDA including SWOT analysis changes, potential additions and removals to 2024 Priority Projects, next steps for the 2024 report and potential topics and speakers for meeting. The next meeting is to be determined. Draft unapproved minutes are in the meeting materials.

B. Transportation Advisory Committee

The TAC met on May 21, 2024. The 2025-2029 Transportation Improvement Plan (TIP) was reviewed and recommended for approval by the MPO. Planning Studies/Initiatives and proposed budget for the 2025 UPWP were discussed and a recommendation that the MPO initiate a 21 day

comment period. There was also a presentation on Berkshire County bridges. Asking MassDOT for an overlay on East St. project. Encouraged by the evolution of West East Rail to Compass Rail as presented at the Commission meeting. The next meeting date is to be determined. Draft unapproved minutes were in the meeting materials.

C. Regional Issues Committee

The Regional Issues Committee met on May 22, 2024. Topics were a review of the Affordable Homes Act and Priorities, input on the statewide Housing Plan, an update on Municipal Sustainability discussions. "Seasonal Communities" designation may be part of new legislation and the committee recommends all of the Berkshires gets this designation. Tentative next meeting: June 26. Minutes were not yet available.

D. Metropolitan Planning Organization (MPO)

The MPO met on May 28, 2024. The 2025 – 2029 Transportation Improvement Program (TIP) was approved and a 21-day public comment period authorized for Unified Planning Work Program (UPWP). There was a presentation on the SS4A High Injury Network and Risk Based Analysis. A dashboard with the data will be available soon. The next meeting is June 25. Draft unapproved minutes were in the meeting materials.

VIII. Executive Director's Report

A. Report on New Contracts/Agreements

New Grants and Contracts received/initiated from 04/26/2024 to 05/30/2024.

- Great Barrington - Economic Development Planning - \$20,000
- Western MA Public Health Association - Coalition for Public Health - \$11,500
- New England AIDS Education & Training Center - Community Research Initiative - \$3,000
- Department of Public Health - Shared Services - \$3,196,200.30
- Age Span - Accelerating Age- and Dementia-Friendly Diversity, Equity, and Inclusion Work - \$25,000
- Briggsville Water District - Municipal Vulnerability Preparedness - \$14,650
- Massachusetts Department of Transportation, Rail & Transit Division - Berkshire Flyer Last Mile Transportation - \$20,000
- Adams – Economic Development Planning - \$5,000
- Department of Public Health - Local Health Support Covid-19 Contact Tracing - \$235,000
- Massachusetts Technology Collaborative - Municipal Digital Equity Planning Services – Clarksburg - \$33,677.14
- Massachusetts Technology Collaborative - Municipal Digital Equity Planning Services – Otis, Windsor, Washington, Becket - \$47,963.04
- Berkshire Public Health Alliance – Inspection Services FY25:
 - Becket - \$32,745
 - Egremont - \$12,317

- Lanesborough - \$34,965
- Peru - \$9,702
- Washington - \$4,725

Grants and Contracts not received.

BRPC did not receive the contract to work on the Broadband Equity Access and Deployment (BEAD) Program.

B. Berkshires Tomorrow Inc. (BTI) Update

The BTI board approved submission of an application to the Executive Office of Energy and Environmental Affairs (EOEEA) under the Woodlands Partnership Implementation Grant program for "Phase 2" improvements to the www.berkshiresoutside.org website. The grant application is for \$75,000. BTI will subcontract with BRPC and charge a 2% administrative fee.

C. Staff Updates

- Recent Hires:
 - Aaron Holman-Vittone, Public Health Planner (Epidemiologist)
- Interns:
 - BCC Extern (Sonia Berroa) – Shadowing Public Health Inspectors
- Open Positions:
 - Public Health Community Social Worker

D. Rural Policy Advisory Commission (RPAC) Update

The Rural Policy Advisory Commission met on May 31, 2024. The main topics were the proposed energy siting legislation and MassDOT's Mass Mobility report and rural communities.

E. Passenger Rail

- West-East Rail – No known activity over the past month.
- Berkshire Flyer – Preparations continue for the third season of the Berkshire Flyer service, which provides weekend passenger rail service between New York City and Pittsfield from June 21, 2024 through Monday September 2, 2024. An additional train will run from New York City to Pittsfield on Sunday.
- Northern Tier Passenger Rail – No known activity over the past month.

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

BRPC's 5th Thursday was held on May 30th at Mazzeo's Ristorante in Pittsfield. The topic of Microtransit was well received by the +40 attendees. Thanks go to Megan Rhodes from the Franklin Regional Council of Governments and Tate Coleman from the TriTown Connector.

G. Beyond Mobility Plan Public Comments

Comments about Beyond Mobility, MassDOT's long range transportation plan, Beyond Mobility (arccgis.com) were included in the meeting material.

H. Brownfields Awards

EPA awarded the following grants to:

- BRPC - \$3.5million to re-capitalize the Berkshire Brownfield Revolving Loan Fund (RLF) in addition to the \$7,600,000 in EPA funds already awarded. BRPC was selected because it has a high-performing RLF program with significantly depleted funds. The RLF program has led to twelve projects that are either completed or in progress.
- North Adams - \$1.9 million to clean up the former Tannery Dump on Ashton Avenue. The site contains a 1.5-acre, 10-foot-high mound of leather scraps that abuts the Hoosic River and is contaminated with heavy metals. Extreme storms have exposed the layers of leather on the riverbank.
- Greylock Works (Flume) - \$1.863 million to clean up the Greylock Flume property at 510 State Road in North Adams. The 7.8-acre cleanup site was a textile mill that housed ten above-ground storage tanks and thirty dip tank drums. It is contaminated with sulfuric acids, phosphoric acid, sodium hydroxide, nitric acid, metals, PCBs, and inorganic contaminants.

Melissa Provencher was especially commended for her fine work managing the Berkshire Brownfields Program

I. State Retirement Legislation

As reported at the previous meeting, the RPA bills, H. 2426 and S. 1682 (An Act Relative to Regional Planning Agencies) have been reported out of Committee but there is no indication when they will be voted on by the legislature.

IX. Old Business

A. Discussion about Annual Meeting

The Commission Development Committee recommends an in-person Annual Meeting combined with a Commission meeting that starts at 4:00 p.m. The attendance at the recent 5th Thursday on Microtransit was encouraging.

X. New Business

A. National Interest Electric Transmission Corridor (NIETC) proposal

The US Department of Energy is proposing a new designation process called "National Interest Electric Transmission Corridor" (NIETC). The designation is for select transmission line corridors across the country in need of greater grid capacity. One of the proposed NIETCs is the New York-New England corridor. The public comment period ends Monday, June 24 at 5 p.m. Main points to consider.

- NIETC designation has the corridor as being 1-mile wide along the existing transmission route.
- If the corridor receives this designation, it appears that DOE/Federal level decision makers will have the final say on what is permitted. While the state could deny a transmission project within the corridor, the DOE could then override that decision.

- It seems that the benefit to obtaining the NIETC designation is that the corridors will be eligible for a significant pot of funding from the IRA/other Federal sources.
- The DOE is requesting letters that would cover a couple of considerations, including potential impacts on environmental, community, and other resources within the potential NIETCs. Info: <https://www.energy.gov/gdo/national-interest-electric-transmission-corridor-designation-process>
- The only mention of NIETC on the Mass.gov website, is in the [Clean Energy Transmission Working Group's Report to the Legislature](#) from December 2023. On page 56 of the PDF discusses siting and permitting authority that says the facility siting and permitting largely rests with the states, except for in DOE designated NIETCs, then FERC has the authority to issue a permit if a state has denied one.

*The "New York – New England Corridor" goes along an existing transmission line from the Northfield Mountain hydropower facility in Erving, west through Franklin County, into Plainfield in Hampshire County, into Dalton & northern Berkshire County, and into NY state.

Concerns were expressed about serious environmental impacts and lack of financial benefits in terms of lower cost energy. Tom has reached out to other affected RPAs and Anne Gobi to coordinate a western Mass response. He has also reached out to the primary person at the Department of Energy. The BRPC Environmental Review Committee may be asked to participate and have a joint meeting with the Executive Committee on June 20th.

B. Vote to Approve the FY 25 BRPC Meeting Schedule

The Executive Committee was requested to vote to set the meeting schedule for Executive Committee and Full Commission meetings for FY 25. A few items of note: the July Executive Committee meeting is moved from Thursday July 4th to Tuesday July 2nd, due to the July 4th holiday; there will be one summer Full Commission meeting on Thursday August 1, 2024; the September Executive Committee meeting would be pushed back from its normal 1st Thursday of the month to the second Thursday, September 12, 2024; and we are considering a brief Full Commission meeting on the same night, September 25. October 3rd is the normal date for the October Executive Committee meeting. The Executive Committee also wants to move the October 3rd meeting to the 10th since it conflicts with Rosh Hashana.

Doug McNally motioned to approve July 2 as the first Executive Committee meeting of FY 25 and table the remaining dates until the next Executive Committee meeting. 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.

C. Environmental Review Committee Procedures

The Environmental Review Committee has updated its written procedures, a copy of which was in the meeting material.

D. Kusik Award

The Kusik Award has been given annually since 1996 to projects, groups, or individuals who have made outstanding contributions to planning in Berkshire County. A solicitation for nominations will be sent to Delegates and Alternates.

E. BRPC Meeting Recordings

The Open Meeting Law allows for recordings of meetings to be deleted once the minutes have been approved. Prior to COVID and the use of Zoom, BRPC made audio recordings of the meetings, which were deleted on a regular basis after the minutes were approved. BRPC staff have not been as diligent about deleting Zoom recordings of meetings since COVID and the extensive use of virtual meetings.

We are moving our backup storage to the Cloud. These Zoom recordings take up significant space and incur costs. The cost to store our backups on the cloud is based on volume. BRPC's attorney has indicated we may delete these recordings but recommended BRPC adopt a policy to establish a uniform practice. Tom will present a policy for the Executive Committee for approval. We need to be more diligent about who is recording meetings and keeping a record of that. An Open Meeting complaint was received during this meeting.

XI. Adjournment

Doug McNally motioned to adjourn the meeting at 5:31 p.m., seconded by Roger Bolton, and unanimously approved by a roll call vote: Malcolm Fick, Sheila Irvin, Buck Donovan, Doug McNally, Christine Rasmussen, and Sam Haupt.

Material accompanying the meeting:

- Unapproved Minutes of the May 2, 2024, BRPC Executive Committee Meeting
- April 25 to May 30, 2024 Expenditures Report
- Accounts Receivable Report – May 2024
- Line of Credit Report
- Notification of Limited Scope Review
- Executive Director's Memorandum
- Draft – Professional Development Program
- Proposed – Telework Policy Amendment
- Unapproved Minutes of the May 8, 2024 Comprehensive Economic Development Strategy Committee Meeting
- Unapproved Minutes of the May 21, 2024 Transportation Advisory Committee Meeting
- Unapproved Minutes of the May 28, 2024 2024 Metropolitan Planning Organization Meeting
- Beyond Mobility Plan Comments
- NEITC Press Release

- Potential NIETC Geographic Area New England
- Proposed SCHEDULE OF MEETINGS FY2025April 2024 Technical Assistance Memo
- Kusik Award Awardees List
- Technical Assistance Memo April 2024