



Approved Executive Committee Minutes Thursday, September 12, 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 pm 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 not recording the meeting, and anyone else who wanted to record it needed to inform him.

II. Roll Call:

Office Manager Marianne Sniezek read the roll call:

Malcolm Fick, Chair, Great Barrington Alternate

Buck Donovan, Treasurer, Lee Delegate

Sheila Irvin, Clerk, Pittsfield Delegate

Douglas McNally, Commission Development Committee, Chair, Windsor Delegate

Roger Bolton, Environmental Review Committee Chair, Williamstown Alternate

Kyle Hanlon, At-Large, North Adams Delegate

Christine Rasmussen, Regional Issues Committee Chair, Stockbridge Alternate
(not present)

Sam Haupt, At-Large, Peru Delegate (not present)

John Duval, Vice Chair, Adams Alternate (lost connection)

Staff Present: Marianne Sniezek, Office Manager; Laura Brennan, Assistant Director and Economic Development Program Manager.

III. Vote to Approve the August 1, 2024 Minutes

Doug McNally moved to approve the August 1, 2024, meeting minutes. Sheila Irvin seconded the motion. It was approved by a roll call vote from Malcolm Fick, Sheila Irvin, Buck Donovan, Doug McNally, and Roger Bolton. Kyle Hanlon abstained.

IV. Financial Reports

A. Vote to Approve the July 24 – September 1, 2024, Expenditures Report

Marianne reported Check #18331 was a repayment of \$319,635.38 to the Commonwealth of Massachusetts was for a Public Health Shared Services program with Department of Public Health (DPH). DPH was still creating the program when it initially provided the funds. BRPC was not able to and did

not hire staff. In FY2025, BRPC Public Health Program under the same contract received \$549,000 for the Training Hub activities and will be receiving \$515,700 for the Public Health Excellence activities. Marianne also reported that BRPC made two payments to T.D. Bank for the credit card activity to ensure we did not bump up against the credit limit of \$20,000.

Roger Bolton moved to approve the July 24 – September 1, 2024, Expenditures Report. Doug McNally seconded the motion. The report was approved by a roll call vote from Malcolm Fick, Shelia Irvin, Buck Donovan, Doug McNally, Roger Bolton, and Kyle Hanlon.

B. Report on the Accounts Receivable/ Assessments – August 2024

There were no questions.

C. Report on the Line of Credit

There has been no need to use the line of credit.

D. Report on the FY24 Closeout

Marianne reported that BRPC closed FY2024 with revenue of \$6.95 million from various funding sources. BRPC managed a total of 170 contracts in FY 2024. The general fund had a surplus of \$90,680.

Our FY 2024 Audit has started, and the auditors will be at BRPC to start testing in October. The goal is to complete the audit in December.

V. Comments from Berkshire Regional Planning Commission Delegates and Alternate Delegates, not to be further discussed at this meeting by the Executive Committee.

None

VI. Items Requiring Action

A. Vote to Authorize the Disposal or Offering to Municipalities of Surplus Equipment. This Includes 6 H.P. ProBook Computers and one Dell Monitor to be Disposed of and 6 ProBook and 1 EliteBook Computers to be Offered to Municipalities

The Executive Committee was requested to authorize the Disposal or Offering to Municipalities of Surplus Equipment. This includes 6 H.P. ProBook Computers and one Dell Monitor to be Disposed of and 6 ProBook and 1 EliteBook Computers to be Offered to Municipalities. (The complete list of equipment was included in the meeting materials.)

BRPC's guidance for dealing with surplus property is to dispose of non-functioning or poor condition equipment. Equipment in good condition is first offered to the region's municipalities, then non-profit organizations, and then items valued over \$200 are attempted to be sold, and finally if there is no interest from those efforts, offered to staff. Laura noted that the items

offered to the municipalities might be delayed until the office assistant returns to work.

Doug McNally moved to authorize the disposal of or offering of Surplus Equipment. Sheila Irvin seconded the motion. The motion was approved unanimously by roll call vote: Malcolm Fick, Sheila Irvin, Buck Donovan, Doug McNally, Roger Bolton, and Kyle Hanlon.

B. Vote to Approve the Submission of a Grant Application to the U.S. Department of Housing and Urban Development, FY24 Pathways to Removing Obstacles to Housing (PRO Housing) Program and as an Element of that Application Approve a PRO Housing Certification for Multijurisdictional Entity Applicants

The Executive Committee was requested to authorize the Executive Director to submit a grant application to the U.S. Department of Housing and Urban Development, FY24 Pathways to Removing Obstacles to Housing (PRO Housing) program and approve any resulting contracts and agreements, including a PRO Housing Certification for Multijurisdictional Entity Applicants

The PRO Housing program is intended to empower communities that are actively taking steps to remove barriers to affordable housing and seeking to increase housing production and lower housing costs over the long term. The application is still taking shape but may include items related to removing barriers to housing development, such as providing assistance with housing financing, assessing rental units that have gone off the market, housing rehabilitation activities, and affordable housing restrictions. Staff have approached several municipalities as partners. The budget too is being developed but the maximum amount that can be requested is \$7 million over the 6 year performance period of the grant. No match is required. The BRPC contact is Community Planning and Development Program Manager CJ Hoss, choss@berkshireplanning.org.

Roger Bolton moved to authorize the Executive Director to submit a grant application to the U.S. Department of Housing and Urban Development, FY24 Pathways to Removing Obstacles to Housing (PRO). Buck Donovan seconded the motion. The motion was approved unanimously by roll call vote: Malcolm Fick, Sheila Irvin, Buck Donovan, Doug McNally, Roger Bolton, and Kyle Hanlon.

VII. Committee Report and Discussion

A. Regional Issues Committee

The Regional Issues Committee met on August 28, 2024. The main agenda items were an update on the Affordable Homes Act legislation and clean energy related legislation. Draft, unapproved minutes from the meeting were not yet available

Malcolm reported that affordable housing and clean energy legislation was

discussed at the meeting, and then the next steps will be figured out.

B. Metropolitan Planning Organization (MPO)

The MPO met on August 27, 2024. Amendments were approved to the 2024 – 2028 Transportation Improvement Program (TIP) for changes to the highway and transit sections. An amendment to the 2024 – 2028 TIP related to the increase in costs for the New Marlborough Keyes Hill Road bridge and removal of the Lee Meadow Street Bridge (and subsequent reprogramming in FFY 2025.) was approved. Various funding amendments related to BRTA funding were also approved. A 5th amendment to increase funding for the Pittsfield East Street project was approved for public comment. Draft unapproved minutes were in the meeting materials.

Malcolm reported the committee discussed the revised TIP and the cost increases on projects and the impacts on projects in the TIP.

C. Environmental Review Committee

The Department of Conservation and Recreation filed an Environmental Notification Form (ENF) for the demolition of several buildings at Jug End State Reservation in Egremont. These buildings are generally in disrepair. Staff and two members of the ERC attended the remote consultation session for the demolition. BRPC comments aren't warranted for this demolition project. An ENF for the reconstruction and related work of Mount Washington Road, Egremont is expected to be noticed in the 9/11/24 edition of the Monitor.

Roger reported that the Environmental Review Committee did not meet because of the nature of the minor demolition issues. Roger explained that an environmental notification form is required for the demolition of buildings or dilapidated buildings to demolish any historic structure listed in a document called the Inventory of Historic and Archaeological Assets of the Commonwealth, and these buildings are in that inventory. Roger reported that the consultant session was useful and informative and that Native American foundations may be underneath the foundations of the buildings to be demolished. The concern is that the Native American remnants may be destroyed. The remnants are not discussed in the ENF, and it was agreed that these possibilities should be considered. Sometimes, the foundation is left exposed with historical markers.

Malcolm reported the town of Great Barrington recently added one hundred buildings to the historic inventory with the state.

D. Commission Development Committee

The Commission Development Committee is scheduled to meet on September 12, 2024, at 5:30 pm. Proposed bylaw changes will be discussed to send to the Executive Committee for review at a later date.

VIII. Executive Director's Report

A. Report on New Contracts / Agreements

New Grants and Contracts received/initiated from 07/26/2024 to 09/05/2024.

- MIIA Wellness Grant Program - \$5,000
- Adams – Outsource Planner - \$11,000
- Lanesborough – Stormwater Management - \$11,000
- Franklin Regional Council of Governments – Medical Reserve Corps - \$44,112
- Dalton – Stormwater Management - \$11,000
- Cheshire – Stormwater Management - \$7,500
- National Environmental Health Association - U.S. Food and Drug Administration – Alliance Inspector Training - \$5,000
- Dalton Fire District - Americans with Disabilities Act Improvement Plan - \$4,500
- B.T.I. - Executive Office of Energy and Environmental Affairs - Berkshires Outside Website Phase II - \$40,000

Grants and Contracts not received:

- The Senate Appropriations Committee did not include funding for Berkshire Regional Planning Commission's Preventing Alcohol Misuse and Addiction project totaling \$149,936.
- Substance Abuse and Mental Health Services Administration (SAMHSA) SPF-PFS for Alcohol Prevention - \$375,000 per year/4 years.
- Public Health Next 50 -Home Share Program A Home Share program involves the exchange of services for free or low-cost housing. \$100,000 per year/3 years

B. Berkshires Tomorrow Inc. (BTI) Update

- The B.T.I. Board of Directors authorized the President to sign an agreement with the Mass Cultural Council for \$2,500. The agreement is to support FY2025 Cultural Activities (Berkshires).
- The B.T.I. Board of Directors authorized the President to sign an agreement between Berkshires Tomorrow and BRPC's Software Lease for 67 Subscriptions for Microsoft Office 365 and Microsoft Defender for FY2025. Tom Matuszko will sign for BRPC. Total \$17,160.00.

C. Staff Updates

Open Positions:

- o Public Health Community Social Worker
- o Public Health Senior Planner - Behavioral Health/ Substance Use Disorder (SUD)
- o Housing Rehab Specialist
- o Public Health Medical Reserve Corp (M.R.C.) Assistant Coordinator

Resigned:

- o Nikki Lewis – Public Health Senior Planner - Behavioral Health/ Substance Use Disorder (SUD)

Reclassification:

- o Aleesha Siddiqui – Intern accepted into the AmeriCorps Fellowship Program working in the Digital Equity Initiative.

D. Rural Policy Advisory Commission (RPAC) Update

The Rural Policy Advisory Commission did not meet in August, 2024.

E. Passenger Rail

- Northern Tier Passenger Rail – No known activity over the past month.
- West-East Rail – No known activity over the past month.
- Berkshire Flyer – Ridership of the Berkshire Flyer has been slightly lower, but generally like last year. It appears on-time performance has improved. Last mile transportation has been sparingly used.
- Northern Tier Passenger Rail – On August 12, 2024, MassDOT released the Northern Tier Passenger Rail Study draft final report for public comment. The study is posted here. The draft final report includes the study's evaluation of transportation conditions along the Northern Tier, alternatives development and analysis processes, and findings and recommendations. The 60-day public comment period ends Saturday, October 12, 2024. Comments may be submitted on the website form <https://www.mass.gov/northern-tier-passenger-rail-study>

F. 2024 Annual Statewide Conference for Municipal Officials and Staff

The Massachusetts Association of Regional Planning Agencies (MARPA) and the Division of Local Services (D.L.S.) are sponsoring the 2024 Annual Statewide Conference for Municipal Officials and Staff. The event will be held at Holy Cross College in the Hogan Center Conference Center on Tuesday, October 8, 2024. The Conference will feature a keynote speech from Lt. Governor Driscoll, a panel of Healey-Driscoll Administration officials and several breakouts on pressing municipal and regional issues.

The Conference will be held on Tuesday October 8, 8:30 am - 12:30 pm at Holy Cross College/Hogan Conference Center (1 College St, Worcester, MA 01610). Registration is at <https://mapc.ma/marpa-2024>. The attendance fee is \$20.

Laura explained BRPC will have staff on panels at some of the sessions and encouraged municipal officials and staff to attend.

G. 2024 Moving Together Conference

MassDOT is sponsoring its Moving Together Conference featuring workshops and panels that highlight current pedestrian, bicyclist and public transportation topics and allowing for networking with colleagues representing diverse interests from the public, academic and private sectors

The Workshop will be held on Wednesday October 23, 2024 from 7:45 am - 4:30 pm, at the Sheraton Boston Hotel, 39 Dalton Street, Boston, MA. Some of the topics at this year's conference will include:

- MassTrails
- Transit Connectivity
- Bicycle Counts
- Systemwide Accessibility
- Climate Resiliency
- Safe Streets/Smart Trips High School Video Contest
- Site Visits

Registration is at [UMTC/Baystate Roads - UMTC \(umasstransportationcenter.org\)](https://umasstransportationcenter.org)

H. Department of Conservation and Recreation Land Acquisition Sandisfield

The Commonwealth of Massachusetts, acting through its Department of Conservation and Recreation (D.C.R.) has under consideration the acquisition of land comprising approximately 64 acres off Town Hill Road in the Town of Sandisfield. The property is currently undeveloped and used for forestry and open space. The proposed use for the property will be protected open space and recreation as part of Otis State Forest. A locus map was included in the meeting material.

I. Annual Meeting Reminder

Berkshire Regional Planning Commission's Annual Meeting and Reception is on Wednesday, September 25 from 5-7pm at Balderdash Cellars in Richmond. M.A. Executive Office of Housing and Livable Communities' Secretary Ed Augustus will offer the keynote remarks. During the event, the 2024 Kusik Award will be presented to Representative Smitty Pignatelli.

Malcolm encouraged delegates and alternates and other municipalities board members to attend.

IX. Old Business

A. Report on the Open Meeting Law Determination

The Division of Open Government within the Office of the Attorney General found that BRPC violated the Open Meeting Law by failing to include the names of the anticipated appointees on the notice for the June 6 meeting.

Malcolm reported BRPC should have listed the names on the agenda and will do so doing forward.

B. Discussion about the Annual Meeting

Staff provided an update about the Annual Meeting planning.

Berkshire Regional Planning Commission will hold its Annual Meeting and Reception on:

- Wednesday, September 25 from 5-7pm at Balderdash Cellars in Richmond, M.A.
- Executive Office of Housing and Livable Communities' Secretary Ed Augustus will offer the keynote remarks.
- 2024 Kusik Award will be presented to Representative Smitty Pignatelli.

Laura noted that the in-person Commission Meeting would be held before the reception. Each program will have display boards for projects, and there will be staff to answer questions. There will also be copies of BRPC's annual report.

Laura reported that EOHLC has a new webpage for ADU's. (mass.gov/adu) CJ Hoss and Brett Roberts may need additional staff to address AUD's.

X. New Business

A. Vote to Approve the Executive Director's F.Y. 24 Performance Review and F.Y. 25 Salary Adjustment

The Executive Director's review was rescheduled to the October meeting.

B. Discussion of Topics for the September Commission Meeting

The meeting will be in-person at Balderdash from 4 to 4:45 pm.

All agreed with the suggested topics:

- Presentation on CEDAC Massachusetts Home Modification Loan Program
- Delegates and Alternates roundtable to discuss important topics

Before adjournment, Sheila Irvin pointed out in a recent email from the Executive Director the loss of local control on solar arrays. She suggested contacting our local senators and state representatives about our concerns. Malcolm recommended sending letters.

XI. Adjournment

Roger Bolton made a motion to adjourn the meeting at 4:33 pm, seconded by Kyle Hanlon, and unanimously approved by a roll call vote: Malcolm Fick, Sheila Irvin, Buck Donovan, Doug McNally, Roger Bolton and Kyle Hanlon.

Additional Meeting Material:

- 2024.0801 Unapproved Executive Committee Meeting Minutes - DRAFT
- July 24 – September 1, 2024 Expenditures Report
- August 2024 Aged Receivables Report
- 2024.08.05 Line of Report
- 2024.08.19 Surplus Equipment

- Pro Housing Certifications for Multijurisdictional Entity applicants
- 2024.08.27 Unapproved Metropolitan Planning Organization Meeting Minutes
 - DRAFT
- 2024 MARPA-DLS Conference on October 10, 2024
- Exhibit A - Map (Subject property)
- BRPC Annual Meeting & Reception Sept. 25,2024
- Letter Open Meeting Law Complaint August 9, 2024