



Approved Executive Committee Minutes Thursday, December 5, 2024

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 & Open Meeting Law Statement

Chair Malcolm Fick called the meeting to order at 4:01 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 recording the meeting and said if anyone else wanted to record it they needed to inform him.

II. Roll Call:

Office Manager Marianne Sniezek read the roll call:

Members Present:

Malcolm Fick, Chair, Great Barrington Alternate

John Duval, Vice Chair, Adams Alternate

Sheila Irvin, Clerk, Pittsfield Delegate

Buck Donovan, Treasurer, Lee Delegate

Kyle Hanlon, At-Large, North Adams Delegate

Christine Rasmussen, Regional Issues Committee Chair, Stockbridge Alternate

Roger Bolton, Environmental Review Committee Chair, Williamstown Alternate
(joined after roll call)

Douglas McNally, Commission Development Committee, Chair, Windsor Delegate
(joined after roll call)

Members Not Present:

Sam Haupt, At-Large, Peru Delegate

Others Present:

Mary McGurn, Egremont Delegate; Mark Smith, Lenox; Stephen Dravis, iberkshire staff; and R Deleo.

Staff Present:

Tom Matuszko, Executive Director; Laura Brennen, Assistant Director, Marianne Sniezek, Office Manager

III. Vote to Approve November 7, 2024, Minutes

Sheila Irvin motioned to approve the November 7, 2024, meeting minutes. Kyle Hanlon seconded the motion. The motion passed with affirmative votes from Malcolm Fick, John Duval, Sheila Irvin, Buck Donovan, Christine Rasmussen, and Kyle Hanlon.

IV. Financial Reports

A. Vote to Approve the November 2 – November 27, 2024, Expenditures Report

Kyle Hanlon motioned to approve the November 2 – November 27, 2024, expenditures report. Christine Rasmussen seconded the motion. The motion passed with affirmative votes from Malcolm Fick, John Duval, Sheila Irvin, Buck Donovan, Christine Rasmussen, and Kyle Hanlon.

B. Report on the Accounts Receivable – November 2024

Projects in Monterey are completed. BRPC had contacted Monterey about past due invoices and were unsuccessful. Treasurer Buck Donovan will contact Monterey regarding the aged receivables. Malcolm Fick will contact the selectboard.

C. Report on the Line of Credit

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

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

No comments.

VI. Items Requiring Action

A. Vote to Approve the BRPC Use of AI (Artificial Intelligence) Policy

The Executive Committee was asked to approve BRPC's Use of AI Policy. BRPC currently does not have a policy related to the use of AI. This policy would provide some broad requirements for BRPC staff to follow.

Tom thanked Mary McGurn for her input. Mary commented that the AI policy was well written, flexible and concise. Mary thanked all who worked on the policy.

Kyle Hanlon moved to approve the BRPC's use of AI Policy. Douglas McNally seconded the motion. The motion passed with affirmative votes from Malcolm Fick, John Duval, Sheila Irvin, Buck Donovan, Douglas McNally, Roger Bolton, Christine Rasmussen, and Kyle Hanlon.

B. Vote to Approve BRPC Entering into the North Berkshire Inter-Municipal Agreement Regarding Use and Expenditure of Opioid Abatement Funds

The Executive Committee was asked to approve BRPC entering into the North Berkshire Inter-Municipal Agreement (IMA) Regarding Use and Expenditure of Opioid Abatement Funds

In follow-up to work conducted through the HEALING Communities Study, several municipalities in north county want to continue to work together to address substance use. Massachusetts, along with other states, received

settlement funds from drug manufacturers and distributors related to opioid use. Municipalities, throughout the Commonwealth, received a portion of those settlement funds to be used for specific abatements measures related to substance use. The north county municipalities would pool their settlement funds to reduce Substance Use Disorder (SUD); increase access to SUD and behavioral health services; and spearhead educational and communications activities to reduce personal and community stigma against people who use drugs and/or have SUD.

An Inter-municipal Agreement (IMA) has been drafted with the help of Rich Mucci, attorney at the Massachusetts Association of Health Boards (MAHB), for the participating municipalities and BRPC as fiscal host. This IMA will create an Opioid Abatement Collaborative (OAC). The municipalities will contribute/pool their settlement funds under the IMA which also sets up a governance structure. BRPC was requested to serve as fiscal host and, as such, would hire a north county Community Coordinator to facilitate the work and administer the effort.

Once the IMA is signed, the OAC will sign a Memorandum of Agreement (MOA) with the Berkshire Health System for the Determination of Need Community Impact funds they are contributing to the effort and to add them to the governance structure. Berkshire Health Systems cannot be part of the IMA as they are not a public entity, but the MOA essentially makes them a full partner consistent with the terms of the IMA. BRPC will then contract with BHS for their funding which will be pooled with the settlement funds. As fiscal host for the OAC the municipal funding will come directly to BRPC as part of the IMA.

Currently the municipalities have the IMA and are presumably assessing it and voting on signing it.

John reported the Town of Adam's approval of the Inter-municipal Agreement (IMA) at its December 4, 2024, meeting. Andy Ottoson attended two meetings. It was beneficial to the board to have Andy at the meetings.

Kyle Hanlon moved to approve BRPC entering into the North Berkshire Inter-Municipal Agreement (IMA) Regarding Use and Expenditure of Opioid Abatement Funds. Douglas McNally seconded the motion. The motion passed with affirmative votes from Malcolm Fick, John Duval, Sheila Irvin, Buck Donovan, Douglas McNally, Roger Bolton, Christine Rasmussen, and Kyle Hanlon.

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

The Executive Committee was requested to authorize the Executive Director to submit a grant application to the Massachusetts Executive Office of Technology Services and Security's Office of Municipal & School Technology's Cybersecurity Awareness Grant Program and sign any resulting contracts and agreements. The Cybersecurity Awareness Grant Program provides cybersecurity training to BRPC's employees. The grant provides no funding but offers access to the KnowBe4 training software. BRPC has previously used this grant program to improve its cybersecurity awareness. The staff lead on the project would be GIS, Data & IT Manager Mark Maloy, mmaloy@berkshireplanning.org.

Douglas McNally moved to approve BRPC's submission of a grant application to the Massachusetts Executive Office of Technology Services and Security's Office of Municipal & School Technology's Cybersecurity Awareness Grant Program. Roger Bolton seconded the motion. The motion passed with affirmative votes from Malcolm Fick, John Duval, Sheila Irvin, Buck Donovan, Douglas McNally, Roger Bolton, Christine Rasmussen, and Kyle Hanlon.

D. Vote to Enter into an Agreement with the Metropolitan Area Planning Council on behalf of the Western Region Homeland Security Council

The Executive Committee was requested to authorize the Executive Director to enter into an agreement with the Metropolitan Area Planning Council (MAPC) on behalf of the Western Region Homeland Security Council (WRHSAC). The WRHSAC is a seventeen-member, volunteer Council charged by the Executive Office of Public Safety and Security to administer and coordinate the State Homeland Security Grant for the four counties of Western Massachusetts: Berkshire, Franklin, Hampshire, and Hampden. Funded activities are regional in scope and build and enhance capabilities that enable the region to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greatest risks. MAPC serves as the fiscal agent for the Commonwealth's Security Councils. This contract is for \$20,000 to create an emergency exercise game that communities and responders can use to practice their emergency planning and response plans and protocols. There is no match. Sandra Martin, smartin@berkshireplanning.org would be the staff lead.

Buck Donovan moved to approve BRPC entering into an Agreement with the Metropolitan Area Planning Council on behalf of the Western Region Homeland Security Council. Douglas McNally seconded the motion. The motion passed with affirmative votes from Malcolm Fick, John Duval, Sheila Irvin, Buck Donovan, Douglas McNally, Roger Bolton, Christine Rasmussen, and Kyle Hanlon.

E. Vote to Approve the Submission of a Grant Application to the National Association of County and City Health Officials (NACCHO) Reimagining Health and Public Safety Overdose Initiatives Project (RHAPSODI)

The Executive Committee was requested to authorize the Executive Director to submit a grant application to the NACCHO Reimagining Health and Public Safety Overdose Initiatives (RHAPSODI) Project and to sign any resulting contracts and agreements. This project would expand field medical services for those recently released or pending release from incarceration through shared outreach by County Ambulance and navigators from the Berkshire County Sheriff's Office and its affiliated 2nd Street Second Chances. The primary goal is to connect individuals with a history of opioid and/or stimulant use who may be at increased risk of overdose post-release with harm reduction planning, low-threshold field medical care and connection to their primary care provider. This \$120,000 nine-month grant is anticipated to a collaborative project among BRPC, County Ambulance Services, The Berkshire County Sheriff's Office/ 2nd Street Second Chances, SafeSpot, Berkshire Harm Reduction and Community Health Programs (CHP). There is no match required. Staff lead on this project would be Andy Ottoson, aottoson@berkshireplanning.org.

Douglas McNally moved to approve BRPC's Submission of a Grant Application to the National Association of County and City Health Officials (NACCHO) Reimagining Health and Public Safety Overdose Initiatives Project (RHAPSODI). Kyle Hanlon seconded the motion. The motion passed with affirmative votes from Malcolm Fick, John Duval, Sheila Irvin, Buck Donovan, Douglas McNally, Roger Bolton, Christine Rasmussen, and Kyle Hanlon.

F. Vote to Conditionally Approve Berkshire Regional Planning Commission's Fiscal Year 26 Assessment Subject to Ratification at the Next Commission Meeting. Options Include No Increase from FY25, a 1% Increase from FY25 or a 2.5% Increase from FY25.

The Executive Committee was requested to conditionally approve BRPC's fiscal year 26 assessment. The Regional Planning Law requires the municipal assessments for the upcoming fiscal year be approved no later than February prior to the beginning of the next fiscal year. The Commission typically votes to approve the Assessment at the January meeting. Many municipalities have told BRPC their budget planning begins as early as November / December prior to the upcoming fiscal year. Conditional approval in December would allow us to provide an initial conditional invoice to the municipalities early in their budget planning cycle. The BRPC Finance Committee met on Monday, December 2, 2024. It recommended a 2.5 % increase over FY25 assessments to the Executive Committee and Commission for any action by the Executive Committee and ratification by the Commission at its next meeting.

Kyle Hanlon moved to conditionally approve a 2.5% increase over the Fiscal Year 25 amount of Berkshire Regional Planning Commission's Fiscal Year 26 Assessment as recommended by the BRPC Finance Committee, and subject to ratification at the next commission meeting. Roger Bolton seconded the motion. The motion passed with affirmative votes from Malcolm Fick, John Duval, Sheila Irvin, Buck Donovan, Douglas McNally, Roger Bolton, Christine Rasmussen, and Kyle Hanlon.

VII. Committee Report and Discussion

A. Berkshire Metropolitan Planning Organization (MPO)

The MPO met on November 26, 2024, and discussed TIP amendments, approved changes to the BRTA memorandum of understanding, and reviewed the draft Berkshire County Safe Travel and Equity Plan for our Streets (STEPS) Comprehensive Safety Action Plan. Draft unapproved minutes were in the meeting material.

B. BRPC Finance Committee

The Finance Committee met on December 2, 2024, and recommended a 2.5% increase over FY2025 to set the FY2026 Assessments. The FY2024 audit is underway, and Marianne has sent all documents to the accountant. BRPC's IT needs and costs were also discussed. Tom explained that BRPC needs to go to the cloud and get off our network servers which are 7 years and 5 years old. The changes needed are costly. We are looking into a phase-in approach or ways to reduce the cost. Our IT service contract is ending this fiscal year. A new agreement will be expensive. We would move to SharePoint to convert to the cloud. Our accounting system also needs to be changed to cloud software and GIS.

VIII. Executive Director's Report

A. Report on New Contracts/Agreements

New Grants and Contracts received/initiated from 11/1/2024 to 11/26/2024.

- Peru - Zoning Update - \$4,500
- Adams - Slum and Blight Study - \$20,000
- Savoy - Culvert Replacement Municipal Assistance - \$7,500
- Cultural Districts - ArtWeek Berkshires 2025 - \$2,400
- Metropolitan Area Planning Council - Massachusetts Regional Trail Map - \$8,000

Grants and Contracts not received.

- Blue Cross Blue Shield MIH Grant for \$50,000
- One Stop - Community Planning - Sustainable Berkshires Update for \$200,000

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

- The B.T.I. board approved the following:
 - The submission of a grant application to Mill Town Foundation for Berkshire Benchmarks (\$15,000.) This grant continues previous

grants to support the Berkshire Benchmarks website and the annual State of the County report. The grant runs from January 1, 2025 – December 31, 2025. No match is required; however, it will leverage work with other existing grants.

- The submission of a grant application to Mill Town Foundation for Berkshire Funding Focus (\$15,000.) This grant is a continuation of previous grants to support Berkshire Funding Focus. The grant runs from January 1, 2025 – December 31, 2025. No match is required; however, it will leverage work with other existing grants.
- The submission of a grant application to Mill Town Foundation for Berkshires Outside Accessibility and Signage (\$15,000.) This grant would assist in reviewing the accessibility of outdoor recreation sites in central Berkshire County and placing Berkshires Outside placards around the central region. The grant runs from January 1, 2025 – December 31, 2025. No match is required; however, it will leverage work with other existing grants.
- The president signed an amendment "MOOR E163" for additional services to expand the Berkshires Outside model to the statewide Massachusetts Outside project. The amendment is for additional funds of \$51,000 for a total of \$126,000.

C. Staff Update

- New Hire:
 - Noé González Ortiz, Public Health Planner (SUD). Resume was included with meeting material.
- Open Positions:
 - Community Social Worker
- Resignation
 - Public Health Senior Planner is resigning as of December 13, 2024.

D. Rural Policy Advisory Commission (RPAC) Update

The Rural Policy Advisory Commission met on November 8, 2024. The main agenda items were a summary about the most recent state legislation session, a presentation about the Holistic Land Use Plan, discussion about the Affordable Homes Act and its impact on rural communities, and a report about the Chapter 90 Reform Working Committee.

E. Seasonal Communities Advisory Council Update

Seasonal Communities Advisory Council has not had any action.

F. Passenger Rail

- West-East Rail – No known activity over the past month.
- Berkshire Flyer – No known activity over the past month.
- Northern Tier Passenger Rail – The Massachusetts Department of Transportation (MassDOT) released the Northern Tier Passenger Rail Study final report. This Study examined the benefits, costs, and investments necessary to implement passenger rail service from North Adams to Greenfield and

Boston, with the speed, frequency, and reliability necessary to be a competitive option for travel along the corridor. The report and more information are at <https://www.mass.gov/northern-tier-passenger-rail-study>.

G. Citizen Planner Training Collaborative (CPTC) Fall / Winter Training Sessions

CPTC announced its Fall / Winter training schedule. Once again, all workshops are virtual. The schedule can be found at Webinar Series – CPTC. BRPC is hosting a virtual session at 5:30 pm on December 5, 2024, on Drafting Zoning Amendments. The Western Mass CPTC in person workshop previously scheduled for December 7, 2024, at Greenfield Community College, Greenfield, MA was canceled.

IX. Old Business

A. None

X. New Business

A. Discussion about Planning for the Incoming Federal Administration

Tom reported that a significant amount of our revenue is direct federal funding or federal pass-through funding. BRPC is reviewing these federal funds to assess what might happen if these funds were reduced or eliminated, especially from agencies such as the Environmental Protection Agency (EPA), Centers for Disease Control Prevention (CDC), Housing and Urban Development (HUD), or Economic Development Administration (EDA). BRPC is exploring if non-federal sources of funds could be extended and maximizing other sources of revenue, such as private foundations, state funding, local funding, and other organizations. Tom suggested communities could use BRPC to provide planning services for municipal planning study needs. To promote BRPC services, we will be sending our annual report on the work we have done in the past. The State funding for District Local Technical Assistance (DLTA) is a high priority.

Roger asked about the effect on Berkshire County business and the economic impact of the deportation of people. John suggested maybe BRPC could assist municipalities with other services or training.

B. Discussion of Topics for the January 16 Commission Meeting

- Continued discussion of budgetary and legislative priorities

Potential topics:

- Invite newly elected State Representative Leigh Davis
- State Rep. John Barrett III to give a summary of the Northern Tier Passenger Rail
- State budget topics

XI. Adjournment

Douglas McNally made a motion to adjourn. Kyle Hanlon seconded the motion. The motion passed with affirmative votes from Malcolm Fick, John Duval, Sheila Irvin, Buck Donovan, Douglas McNally, Roger Bolton, Christine Rasmussen, and Kyle Hanlon. The meeting adjourned at 4:54 pm.

Additional Meeting Material:

- 2024.11.07 Unapproved Executive Committee Meeting Minutes - DRAFT
- November 2, 2024 – November 27, 2024, Expenditures Report
- November 2024 Aged Receivables Report
- 2024.11.25 Line of Credit Report
- 2024.11.27 Executive Director Memorandum
- AI (Artificial Intelligence) Policy
- NoCoCo IMA draft agreement
- FY26 Assessment options
- November 26, 2024, MPO Minutes Draft
- Resume – Noé González Ortiz
- Tech Assistance memo October 2021