



BRPC

Berkshire Regional Planning Commission

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MEETING NOTICE

posted 3/4/25
9:00 am KHT

There will be a meeting of the EXECUTIVE COMMITTEE
of the
BERKSHIRE REGIONAL PLANNING COMMISSION
Thursday, March 6, 2025 at **4:00 p.m.**

This will be 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.

To participate virtually join the Zoom meeting at

<https://us02web.zoom.us/j/3926128831?omn=81835292686>

Meeting id: 392 612 8831, Phone: 646.558.8656, 646.931.3860, 312.626.6799, 301.715.8592

Meeting materials are on BRPC's website: www.berkshireplanning.org. Click the calendar of events, then the meeting name, and follow the link to materials.

AGENDA(Amended) (all times approximate)

- I. Call to Order & Open Meeting Law Statement (4:00)
- II. Roll Call of Executive Committee Members Attending the Meeting
- III. Vote to Approve the Minutes of the Executive Committee Meeting of February 6, 2025*
- IV. Financial Reports and Discussion (4:05)
 - A. Vote to Approve the January 29, 2025 – February 27, 2025 Expenditures Report*
 - B. Report on Accounts Receivables – February 2025
 - C. Report on the Line of Credit – February 2025
 - D. Report on Federally Funded Contracts
- V. Open Comments from Berkshire Regional Planning Commission Delegates and Alternate Delegates, not to be further discussed at this meeting by the Executive Committee (4:10)
- VI. Items Requiring Action* (4:15)
 - A. Vote to Approve the Submission of a Grant Application to the U.S. Environmental Protection Agency for Brownfields Revolving Loan Fund Supplemental Funding *
 - B. Vote to Approve the Berkshire Regional Planning Commission joining an Amicus Brief related to the Discontinuance of Roads, specifically the Commonwealth of Massachusetts Supreme Judicial Court No. SJC-13721, Town of Concord, Plaintiff-Appellee, v. Neil E. Rasmussin, Anna Rasmussin, Brooks S. Read, Susannah Kay, Russell Robb III, Leslie Robb and Thomas Wray Falwell, Trustees of the Pippin Tree Land Trust, and President and Fellows of Harvard College, Defendants-Appellants.*
- VII. Committee Reports and Discussion (4:25)
 - A. Regional Issues Committee
 - B. Transportation Advisory Committee
 - C. Berkshire Brownfields Committee

City and Town Clerks: Please post this notice pursuant to the Open Meeting Law, MGL c. 30A, §§ 18-25.

Please Note:

For information regarding postponements or cancellations on the day of a scheduled meeting, please call Berkshire Regional Planning Commission at (413) 442-1521, x5

- D. Berkshire Municipal Planning Organization
- VIII. Executive Director's Report and Discussion (4:35)
 - A. Report on New Contracts / Agreements
 - B. Berkshires Tomorrow Inc. (BTI) Update
 - C. Staff Updates
 - D. Rural Policy Advisory Commission (RPAC) Update
 - E. Seasonal Communities Advisory Council Update
 - F. Passenger Rail
 - G. FY2026 Medical, Dental and Vision Costs
 - H. A Home for Everyone: A Comprehensive Housing Plan for Massachusetts
 - I. Building for Tomorrow Report
 - J. Vacant Storefront Properties Grant Program
 - K. CPTC (Citizen Planner Training Collaborative) Annual Conference
 - L. Accessory Dwelling Unit Model Zoning
- IX. Old Business and Discussion (4:45)
 - A. Discussion about Proposed Article 97 Regulations
 - B. Discussion about the Potential for the Open Meeting Law to require in-person meetings after March 31, 2025.
- X. New Business and Discussion (4:55)
 - A. Discussion about Topics for the March 20,2025 Commission Meeting
- XI. Adjournment* (5:00)

BRPC has adopted the BRPC website www.berkshireplanning.org as its official posting method as allowed by 940 CMR29.00 section 29.03 (3) (b) since November 2010. The .
 The Meeting Notice, Agenda and meeting materials are on BRPC's website:
www.berkshireplanning.org. Click the calendar of events, then the meeting name, and follow the link to materials.

* Items Requiring Action



DRAFT Executive Committee Minutes Thursday, February 6, 2025

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 4:00 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 recording the meeting and said if anyone else wanted to record it, they needed to inform him.

II. Roll Call:

Office Administrator Kate Hill Tapia read the roll call:

Members Present:

Malcolm Fick, Chair, Great Barrington Alternate
John Duval, Vice Chair, Adams Alternate - late
Buck Donovan, Treasurer, Finance Committee Chair, Lee Delegate
Sam Haupt, TAC Chair, At-Large, Peru Delegate – left early
Christine Rasmussen, Regional Issues Committee Chair, Stockbridge Alternate
Roger Bolton, Environmental Review Committee Chair, Williamstown Alternate
Douglas McNally, Commission Development Committee Chair, Windsor Delegate

Members not Present:

Sheila Irvin, Clerk, Pittsfield Delegate
Kyle Hanlon, CEDS Chair, At-Large, North Adams Delegate

Others Present:

Mary McGurn, Egremont Delegate; Laura Mensi, Monterey Delegate; James, Great Barrington Citizen and Mike Lucia

Staff Present:

Tom Matuszko, Executive Director; Laura Brennen, Assistant Director;
Marianne Sniezek, Office Manager; Kate Hill Tapia, Office Administrator.

III. Vote to Approve January 2, 2025 Minutes

Doug McNally motioned to approve the January 2, 2025 meeting minutes. Roger Bolton seconded the motion. The motion passed with affirmative votes from Malcolm Fick, Doug McNally, Roger Bolton, Christine Rasmussen, and Sam Haupt.

IV. Financial Reports

A. Vote to Approve the December 19, 2024 – January 28, 2025 Expenditures Report

Roger Bolton motioned to approve the December 19, 2024 – January 28, 2025 expenditures report. Doug McNally seconded the motion. The motion passed with affirmative votes from Malcolm Fick, John Duval, Buck Donovan, Sam Haupt, Christine Rasmussen, Roger Bolton, and Doug McNally.

B. Report on the Accounts Receivable – January 2025

BRPC staff and Buck Donovan have contacted Monterey regarding the past due funds. Tom reported that the town did not bill for the \$15,000 FY24 state Open Space Recreation grant, and funds are no longer available to the town. Tom and Malcolm may attend a select board meeting for a resolution.

MassTech paid \$29,000, and New Marlborough's \$12,000 90-day invoice is paid.

C. Report on the Line of Credit

The Line of Credit has not been used.

D. Report on Federally Funded Contracts

Tom reported on the freeze on federal funds that the courts blocked. BRPC receives funds directly from the federal government and the Department of Justice for opioid prevention. The revenue is for staff time. The Brownfields revolving loan fund is from the EPA and has little staff time. Before the freeze, BRPC loaned money to Greylock Works and the Eagle Mill.

BRPC met with MassDOT. Federal Highway Administration funding is potentially at risk.

BRPC will look at funding sources. BRPC has enough funds for the current fiscal year as state agencies already have funds for the federal fiscal year. There will be a ripple effect in the future. It is not business as usual.

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

Sam reported on a presentation at the Woodlands Partnership of Northwest Massachusetts about the [State Auditors' report on PILOT Funding](#).

Legislation is needed to correct the inequities in the calculations that favor eastern and urban municipalities—more below in the Executive Director's report.

VI. Items Requiring Action

A. Vote to Approve the Submission of a Grant Application to the Toxic Use Reduction Institute (TURI) Grant Program

The Executive Committee was requested to authorize the Executive Director after the fact to submit a grant application to the TURI grant program and sign any resulting contracts and agreements. This grant would allow for public education around plastics, conduct research, educate food establishments, especially those that do take out, about alternatives to plastics, and develop a municipal toolkit for reducing plastics. FY25 funding is expected to be \$6,500 for part of this work, with an additional \$15,000 possible in FY 26. There is no match. There are not expected to be subcontractors. The BRPC contact is [Jaymie Zapata](#).

Douglas McNally moved to authorize the Executive Director after the fact to submit a grant application to the TURI grant program and sign any resulting contracts and agreements. Roger Bolton seconded the motion. The motion passed with affirmative votes from Malcolm Fick, Buck Donovan, Doug McNally, Roger Bolton, Christine Rasmussen, and Sam Haupt.

B. Vote to Approve the Submission of a Grant Application to the Substance Abuse and Mental Health Services Administration (SAMHSA) Partnerships for Success Program

The Executive Committee was requested to authorize the Executive Director to submit a grant application to the SAMHSA Strategic Prevention Framework – Partnerships for Success for Communities and Tribes Program and sign any resulting contracts and agreements. This grant would allow for work on alcohol use reduction and prevention for adults in Berkshire County. These five-year grants allow for funding of \$250,000 – \$600,000 per year. Expected partners include the Brien Center, Berkshire Health Systems, Berkshire Pride, and others. There is no match required. There would be subcontractors/subrecipients. BRPC's contact is [Andy Ottoson](#).

Doug McNally moved to authorize the Executive Director to submit a grant application to the SAMHSA Strategic Prevention Framework – Partnerships for Success for Communities and Tribes Program and sign any resulting contracts and agreements. Roger Bolton seconded the motion. The motion passed with affirmative votes from Malcolm Fick, Buck Donovan, Doug McNally, Roger Bolton, Christine Rasmussen, and Sam Haupt.

C. Vote to Approve the Submission of a Grant Application to the Health Resources and Services Administration (HRSA) Rural Health Network Development Planning Program

The Executive Committee was requested to authorize the Executive Director to submit a grant application to HRSA's Rural Health Network Development Planning Program and sign any resulting contracts and agreements. This grant would allow coordination of access to health care in central Berkshire County (south and north counties have had this grant in the past). Primary partners are expected to be Berkshire Health Systems (BHS) and the Brien Center. This one-year grant requests \$100,000 for planning purposes and allows successful groups to qualify for implementation grants in the future

(pending future appropriations). There is no match required. There would be subcontractors/subrecipients. BRPC contact is [Laura Kittross](#).

Doug McNally moved to authorize the Executive Director to submit a grant application to HRSA's Rural Health Network Development Planning Program and sign any resulting contracts and agreements. Roger Bolton seconded the motion. The motion passed with affirmative votes from Malcolm Fick, Buck Donovan, Doug McNally, Roger Bolton, Christine Rasmussen, and Sam Haupt.

VII. Committee Report and Discussion

A. Comprehensive Economic Development Strategy (CEDS) Committee

The CEDS Committee met on January 15, 2025. Cody Chamberlain, Economic Recovery Corp Fellow, gave an update. The Adventure to Ashuwillticook Trail Project US DOT grant award and 2023-2027 Year 2 Performance Report (due in June) to EDA were discussed. Draft minutes were in the meeting materials. The next meeting is March 12. Two new priority projects will be discussed.

B. Environmental Review Committee (ERC)

The ERC met on January 21, 2025. The Committee voted to amend its committee practices (in the meeting materials) in response to MEPA requiring more EIRs. The Committee ERC submitted an Environmental Review Report on the Expanded Environmental Notification Form (EENF) and proposed Environmental Impact Report (EIR) for the Great Barrington Fire District Exploration Wells (in meeting material). Draft minutes were not yet available.

C. BRPC Finance Committee

The Finance Committee met on January 23, 2025 to review and approve the FY2024 BRPC Audit and Capitalization of Assets Policy. The auditor complimented the BRPC staff, who "make their job easy" with great recordkeeping. There were no findings.

Staff reported on the need for and costs associated with moving the IT system from server based to cloud based. Staff also reported that EPA's Limited Scope Review went well. The meeting materials contain draft minutes and material related to the Audit and Capitalization of Assets policy.

D. Berkshire Metropolitan Planning Organization (MPO)

The MPO met on January 28, 2025. Amendments to the TIP were considered, and approval of project listings proposed for MassDOT's Resilience Improvement Plan for culverts was endorsed. There was a presentation on hydrogen buses. Minutes were not yet available.

Other Committee reports:

Regional Issues Committee met on February 5, 2025. Minutes were not available.

Doug, BRPC's representative to the Westfield River Wild and Scenic Advisory Committee, reported that funding is available to help municipalities inventory and find resources to address invasive species and improve culverts. A grant writing mentor program to build local capacity is also underway.

VIII. Executive Director's Report

A. Report on New Contracts/Agreements

New Grants and Contracts received/initiated from 12/21/2024 to 1/30/2025.

- Executive Office of Housing and Livable Communities - District Local Technical Assistance 2025 – \$214,214
- Lanesborough – Digital Equity Implementation – \$14,850
- Greylock Flume – Brownfields Cleanup – \$48,000
- Berkshire Health System - Fairview Medical Reserve Corps – \$15,545.24
- Adams – Open Space and Recreation Plan – \$40,000
- Great Barrington - ADA Self-Evaluation and Transition Plan – 45,000
- New Marlborough - ADA Self-Evaluation and Transition Plan – \$3,500

Grants and Contracts not received.

- Tom reported that BRPC was not awarded the HUD Pro housing grant.

B. Berkshires Tomorrow Inc. (BTI) Update

- The BTI board approved the following:
 - BTI FY 2025 Budget
 - Treasurer Buck Donovan and President Malcolm Fick to sign BTI's 2024 tax return prepared by our accountant, Adelson & Company PC
 - Accept a \$400 donation from Blackshires for training.

C. Staff Update

- Open Positions:
 - Community Social Worker
 - Public Health Training Specialist
 - Public Health Planner/Sr Planner (Emergency Preparedness)
- Internships
 - Outdoor Recreation Internships
 - Youth Prevention & Mental Health Internship
 - Other programs are assessing their needs for summer interns

D. Rural Policy Advisory Commission (RPAC) Update

The Commission did not meet in January 2025.

E. Seasonal Communities Advisory Council Update

The Council did not meet in January 2025.

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 – No known activity over the past month.

G. Chapter 90 Report

In March 2024, the Healey Administration instructed the Massachusetts Department of Transportation (MassDOT) and the Executive Office for

Administration and Finance (A&F) to convene a group of municipal officials to discuss challenges and potential improvements in the Chapter 90 Local Roads Program (the Program). A 16-member statewide Advisory Group comprised of municipal transportation officials was established. The Advisory Group identified common challenges and developed a set of options for administrative and funding solutions. A report summarizes their recommendations and new opportunities for the Program's administration, funding, and formula and explores the Chapter 90 Program's history and evolution. An Executive Summary was included in the meeting materials. The full report can be accessed at [Chapter 90 Program Advisory Group - A Report on Challenges & Recommendations for Improvement](#).

H. State Auditor Report - Pursuing Equitable State-Owned Land Reimbursements for Municipalities

[Pursuing Equitable State-Owned Land Reimbursements for Municipalities](#)

The report documents the disparity in per-acre reimbursements between those municipalities with state owned land holding at least 50% of the land area of the town (mostly rural towns) and those with less than 50% of the land area of a town. It contains recommendations to remove those disparities. An Executive Summary was included with the meeting material. This is a potential Commission meeting presentation.

I. Transportation Funding Task Force Report

The Healey Administration established the [Transportation Funding Task Force](#) in January 2024 to recommend a long-term, sustainable transportation funding plan. The Task Force's report contains recommendations to stabilize the state's transportation system, maintain it, support housing or economic development, and transform the systems using new transportation-related revenues and technologies. An Executive Summary is included with the meeting material. Tom noted that it is disappointing that there is no mention of a funding rail.

J. Municipal Empowerment Bill

The Healey Administration recently filed the Municipal Empowerment Bill to relieve administrative burdens, support fiscal strength, and expand tools available to support communities. The bill retains major efficiency measures that were part of the legislation filed last session, including permanently enabling municipalities to permit hybrid public meetings, reforming procurement rules, and establishing enforcement mechanisms to encourage the timely removal of double poles. Several new provisions have been added to help local officials improve public health and lower costs. More information can be found at [Municipal Empowerment Act | Mass.gov](#). A line by line summary of the bill was included in the meeting materials.

K. Accessory Dwelling Unit Regulations

The Executive Office of Housing and Livable Communities (EOHLC) released its final version of regulations for accessory dwelling units. The regulations are effective as of January 31, 2025. More information can be found at <https://www.mass.gov/info-details/accessory-dwelling-units#adu-regulations->. A copy of the regulations was included with the meeting material.

IX. Old Business

A. The Report on Surplus Equipment Distributed

According to BRPC's Disposal of Surplus Policy, seven laptops were given to the following towns: 3 Dalton, 3 Otis, and 1 Washington.

B. Report on Accessory Dwelling Unit Comments on Regulations

Comments were submitted on proposed accessory dwelling unit regulations. A copy was included in the meeting material.

The State Housing Plan was released. BRPC thinks the housing need numbers for Berkshire County are low. The plan could be a Commission meeting topic.

C. Discussion of BRPC Personnel Handbook

Tom decided that since the Administration Program staff did not have time to update BRPC's personnel policies, BRPC's legal counsel could compile them into one document, verifying their legality and identifying missing policies. That work is complete, and a red-line document with significant markups is ready for review. Minor edits will be accepted, and Tom will highlight significant changes and bring the document to a future Executive Committee meeting for review and approval.

X. New Business

A. Report on Comments Submitted on Proposed Changes to Article 97 Regulations

Article 97 of the Amendments to the Massachusetts Constitution establishes a right to a clean environment, including its natural, scenic, historical, and aesthetic qualities for the citizens of the Commonwealth. Article 97 also declares the conservation of natural resources a public purpose. It provides that land or easements subject to Article 97 shall not be used for other purposes or disposed of without the Legislature's two-thirds roll call vote. EOEEA is proposing changes to the regulations that address Article 97. Included in the meeting materials were comments Tom submitted. His main concerns were a lack of effective public notice, including climate change mitigation in the definition of Natural Resource Value, and providing too much authority with the Secretary of EOEEA. Christine alerted Senator Mark and Representative Davis.

B. Discussion about the Potential for the Open Meeting Law to Require In-person Meetings after March 31, 2025.

The provision allowing public meetings to be entirely remotely expires on March 31, 2025. Although the Governor has included a provision in the Municipal Empowerment Bill to continue to allow virtual public meetings, it is uncertain if that Bill will be approved by March 31. If it or some other provision to continue to allow virtual public meetings is not approved, BRPC will need to determine how to proceed with meetings.

XI. Adjournment

Doug McNally made a motion to adjourn. Roger Bolton seconded the motion. The motion passed with affirmative votes from Malcolm Fick, John Duval, Buck

Donovan, Doug McNally, Roger Bolton, and Christine Rasmussen. The meeting adjourned at 5:05 pm.

Additional Meeting Material:

- 2025.01.02 Executive Committee Meeting Minutes – Unapproved DRAFT
- December 19, 2024 – January 28, 2025 Expenditures Report
- January 2025 Aged Receivables Report
- 2025.02.05 Line of Credit Report
- 2025.02.02 Executive Director Memorandum
- January 15, 2025 Comprehensive Economic Development Strategy Meeting Minutes – Unapproved DRAFT
- Environmental Review Report - Great Barrington Fire District Exploration Wells
- Statement of Procedures of the Environmental Review Committee of BRPC
- 2025.01.23 BRPC Finance Committee Meeting Minutes - Unapproved Draft
- BRPC FY24 Audit Management Letter
- BRPC FY24 Audit Final Governance Letter
- Capitalization of Assets Policy Approved 01.23.2025
- Executive Summary Chapter 90 Report
- Executive Summary Auditors PILOT Report
- Executive Summary Transportation Funding Task Force Report
- Municipal Empowerment Act 2025 Section-by-Section Summary
- 760 CMR 71 – FINAL REGULATIONS 1-17-25
- BRPC Comments on Proposed ADU Regulations
- BRPC comments on 301 CMR 52 (TM)
- December 2024 – Technical Assistance Memorandum

BERKSHIRE REGIONAL PLANNING COMMISSION

Check Register

For the Period From Jan 29, 2025 to Feb 27, 2025

Filter Criteria includes: Report order is by Date.

<u>Check #</u>	<u>Date</u>	<u>Payee</u>	<u>Amount</u>	<u>Department</u>	<u>Department Description</u>	<u>Expense</u>
18932	1/29/25	BCC FOUNDATION	1,000.00	010 GEN	General	40 Under 40 Sponsorship
18933	1/29/25	CHARLENE GRANDSON	236.60	652 DPH/SORPEC25	Department of Public Health - Bureau of Substance Addiction - SOR-PEC Community Circle	Subcontractor
18934	1/29/25	KATHRYN HEEDER HOCKER	1,260.00	754 DOJ/BPOP	Department of Justice - Berkshire Post Overdose Program	Subcontractor
18935	1/29/25	ELIZABETH STRICKLER	1,255.00	754 DOJ/BPOP	Department of Justice - Berkshire Post Overdose Program	Subcontractor
18936	1/29/25	WJ BLUEPRINT & DIGITAL GRAPHICS	113.72	753 PTS/MVPA	Pittsfield Francis Ave. Parklet and Routing Study	Printing
18937	1/29/25	MACFARLANE OFFICE PRODUCTS, INC.	581.73	040 ADMIN	Admin	Copying
18938	1/29/25	WB MASON COMPANY INC	531.96	040 ADMIN	Admin	Office Supplies
18939	1/31/25	KAMARA FLASCHER	640.00	754 DOJ/BPOP	Department of Justice - Berkshire Post Overdose Program	Subcontractor
18940	1/31/25	DAVID KELLEY	920.00	040 ADMIN	Admin	Cleaning Services
18941	1/31/25	CHRISTOPHER KOWALSKI	752.00	754 DOJ/BPOP	Department of Justice - Berkshire Post Overdose Program	Subcontractor
18942	1/31/25	CLETUS KUS	179.70	440 MassDOT/TPL	MA Department of Transportation Planning	Monthly Expense Form
18943	1/31/25	DWAYNE MYERS	168.00	754 DOJ/BPOP	Department of Justice - Berkshire Post Overdose Program	Subcontractor
18944	1/31/25	ANDREW OTTOSON	330.40	---	Varied Projects	Monthly Expense Form
18945	1/31/25	KAMAAR TALIAFERRO	473.20	652 DPH/SORPEC25	Department of Public Health - Bureau of Substance Addiction - SOR-PEC Community Circle	Subcontractor
18946	2/1/25	MIIA HEALTH BENEFITS TRUST	2,591.45	040 ADMIN	Admin	Dental Insurance
18947	2/1/25	MIIA HEALTH BENEFITS TRUST	70,538.92	040 ADMIN	Admin	Health Insurance
18948	2/1/25	MUTUAL OF OMAHA	1,632.70	040 ADMIN	Admin	Life; STD; LTD
18949	2/5/25	1BERKSHIRE	3,500.00	737 COMM/ARTBERK25	Communities/Organizations - Cultural Districts - ArtWeek Berkshires 2025	ArtWeek Advertising
18950	2/5/25	ADELSON & COMPANY PC	16,000.00	040 ADMIN	Admin	FY2024 Audit
18951	2/5/25	BECKS PRINTING	249.00	741 BMC/MBI/DEBERK	Baystate Medical Center, Inc - MBI - Digital Equity Berkshire Advisor	Resource Guides

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18952	2/5/25	AYISHETU BRAIMAH	320.00	754 DOJ/BPOP	Department of Justice - Berkshire Post Overdose Program	Subcontractor
18953	2/5/25	THE BRIEN CENTER	11,996.31	---	Varied Projects	Subrecipient
18954	2/5/25	CENTRAL BERKSHIRE HABITAT FOR HUMANITY	7,291.66	782 MassCEC/IMP	MassCEC - Pittsfield Energy Coaching Program Implementation	Subcontractor
18955	2/5/25	DANIELLE COOMES	320.00	754 DOJ/BPOP	Department of Justice - Berkshire Post Overdose Program	Subcontractor
18956	2/5/25	JILL DAUGHERTY	320.00	754 DOJ/BPOP	Department of Justice - Berkshire Post Overdose Program	Subcontractor
18957	2/5/25	REBECCA DODGE	480.00	754 DOJ/BPOP	Department of Justice - Berkshire Post Overdose Program	Subcontractor
18958	2/5/25	SHARRON FRAZIER-MCCLAIN	288.00	754 DOJ/BPOP	Department of Justice - Berkshire Post Overdose Program	Subcontractor
18959	2/5/25	GEMINI CREATIVE LLC	2,700.00	709 MMP/BFF25	Massachusetts Marketing Partnership / MA Office of Travel & Tourism - Berkshire Funding Focus	BFF Website Hosting
18960	2/5/25	JUSTIN HERVIEUX	320.00	754 DOJ/BPOP	Department of Justice - Berkshire Post Overdose Program	Subcontractor
18961	2/5/25	KATHRYN HEEDER HOCKER	810.00	758 UBALT/COCLI	University of Baltimore - COCLI - Berkshire Post Overdose Program	Subcontractor
18962	2/5/25	HOOSIC RIVER REVIVAL INC	2,362.87	785 NAD/MVPA	North Adams - Municipal Vulnerability Preparedness Action Grant	Subcontractor
18963	2/5/25	JOCELYN LATVALLA	153.18	---	Varied Projects	Monthly Expense Form
18964	2/5/25	MA STATE BOARD OF RETIREMENT	13,589.51	---	---	Retirement
18965	2/5/25	MAEGAN MOYNAHAN	1,687.50	---	Varied Projects	Subcontractor
18966	2/5/25	ANN MARIE MUTZ	1,030.00	646 DPH/MASSCALL3	Department of Public Health MASS CALL 3B - Substance Misuse Prevention	Subcontractor
18967	2/5/25	NEW ENGLAND NEWSPAPERS, INC	1,600.50	---	Varied Projects	Advertising
18968	2/5/25	CITY OF PITTSFIELD	550.00	040 ADMIN	Admin	Parking
18969	2/5/25	rites of passage and empowerment	1,210.00	652 DPH/SORPEC25	Department of Public Health - Bureau of Substance Addiction - SOR-PEC Community Circle	Subcontractor
18970	2/5/25	SHAMIA SHEPHERD	515.00	646 DPH/MASSCALL3	Department of Public Health MASS CALL 3B - Substance Misuse Prevention	Subcontractor

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18971	2/5/25	TD CARD SERVICES	837.21	---	---	January 2025 Credit Card 1189 Payment
18972	2/5/25	TD CARD SERVICES	9,081.91	---	---	January 2025 Credit Card 9068 Payment
18973	2/5/25	TITOS MEXICAN BAR & GRILL	250.00	772 PHIWM/BCFG	Public Health Institute of Western Massachusetts - Berkshire County Focus Group	Meals - YAB Meeting
18974	2/5/25	TPX COMMUNICATIONS	1,476.65	040 ADMIN	Admin	Telephone
18975	2/5/25	WOLF VALENTIN	672.00	754 DOJ/BPOP	Department of Justice - Berkshire Post Overdose Program	Subcontractor
18976	2/5/25	COREY WALKER	320.00	754 DOJ/BPOP	Department of Justice - Berkshire Post Overdose Program	Subcontractor
18977	2/5/25	VALERIE BIRD	312.90	650 DPH/SS	Department of Public Health - Shared Services	Monthly Expense Form
18978	2/5/25	MARIE BRADY	80.99	---	Varied Projects	Monthly Expense Form
18979	2/5/25	MONASIA CEASAR	84.56	650 DPH/SS	Department of Public Health - Shared Services	Monthly Expense Form
18980	2/5/25	BRITNEY DANIALS	106.56	---	Varied Projects	Monthly Expense Form
18981	2/5/25	ALISON DIXON	29.12	783 LAN/MVP	Lanesborough - Municipal Vulnerability Preparedness	Monthly Expense Form
18982	2/5/25	LESLIE DRAGER	50.00	284 BPHA/PHN	Berkshire Public Health Alliance - Regional Public Health Nursing Program	Monthly Expense Form
18983	2/5/25	EDWARD FAHEY	115.80	283 BPHA/INSP	Berkshire Public Health Alliance - Regional Public Health Inspections	Monthly Expense Form
18984	2/5/25	NOE GONZALEZ ORTIZ	61.60	646 DPH/MASSCALL3	Department of Public Health MASS CALL 3B - Substance Misuse Prevention	Monthly Expense Form
18985	2/5/25	SOPHIE CARNES JANNEN	68.60	650 DPH/SS	Department of Public Health - Shared Services	Monthly Expense Form
18986	2/5/25	CORNELIUS HOSS	13.02	751 EOEEA/WSH/ZR	Executive Office of Energy & Environmental Affairs - Washington Zoning Recodification	Monthly Expense Form
18987	2/5/25	CHRISTIE LEWIS	122.80	---	Varied Projects	Monthly Expense Form
18988	2/5/25	ANDREW MCKEEVER	141.26	---	Varied Projects	Monthly Expense Form
18989	2/5/25	BRETT ROBERTS	167.18	---	Varied Projects	Monthly Expense Form

BERKSHIRE REGIONAL PLANNING COMMISSION

Check Register

For the Period From Jan 29, 2025 to Feb 27, 2025

Filter Criteria includes: Report order is by Date.

<u>Check #</u>	<u>Date</u>	<u>Payee</u>	<u>Amount</u>	<u>Department</u>	<u>Department Description</u>	<u>Expense</u>
18990	2/5/25	NANCY SLATTERY	181.67	---	Varied Projects	Monthly Expense Form
18991	2/5/25	JAZU STINE	156.82	650 DPH/SS	Department of Public Health - Shared Services	Monthly Expense Form
18992	2/5/25	COLIN SYKES	606.50	650 DPH/SS	Department of Public Health - Shared Services	Monthly Expense Form
18993	2/5/25	JAYMIE ZAPATA	29.54	785 NAD/MVPA	North Adams - Municipal Vulnerability Preparedness Action Grant	Monthly Expense Form
18994	2/5/25	LAURA BRENNAN	206.36	---	Varied Projects	Monthly Expense Form
18995	2/5/25	DANIEL HASSETT	314.88	650 DPH/SS	Department of Public Health - Shared Services	Monthly Expense Form
18996	2/5/25	DAVE PILL	308.14	---	Varied Projects	Monthly Expense Form
18997	2/5/25	ELIZABETH STRICKLER	1,305.00	---	Varied Projects	Subcontractor
18998	2/12/25	BLUE 20/20	244.84	040 ADMIN	Admin	Vision Insurance
18999	2/12/25	TIFFANY BROUILLETTE	480.00	754 DOJ/BPOP	Department of Justice - Berkshire Post Overdose Program	Subcontractor
19000	2/12/25	FEDEX	9.20	745 SHF/EOHLC/CDBGHR	Sheffield EOHLC - Housing Rehabilitation	Postage
19001	2/12/25	FOURSQUARE ITP INC	2,479.50	440 MassDOT/TPL	MA Department of Transportation Planning	Subcontractor
19002	2/12/25	GEMINI CREATIVE LLC	1,575.00	709 MMP/BFF25	Massachusetts Marketing Partnership / MA Office of Travel & Tourism - Berkshire Funding Focus	BFF Website Changes
19003	2/12/25	SIOGA CLUB OF BERKSHIRE COUNTY INC	112.50	---	Varied Projects	Subcontractor
19004	2/12/25	GROUP ARCHITECTURE & URBANISM CO	1,665.00	753 PTS/MVPA	Pittsfield Francis Ave. Parklet and Routing Study	Subcontractor
19005	2/12/25	KELLIE MEISL	640.00	754 DOJ/BPOP	Department of Justice - Berkshire Post Overdose Program	Subcontractor
19006	2/12/25	SERGIO ORELLANA RAMOS	192.00	754 DOJ/BPOP	Department of Justice - Berkshire Post Overdose Program	Subcontractor
19007	2/12/25	STEPHANIE QUETTI	505.12	652 DPH/SORPEC25	Department of Public Health - Bureau of Substance Addiction - SOR-PEC Community Circle	Subcontractor
19008	2/12/25	ROUX ASSOCIATES INC	3,156.75	702 EPA/ASSESS	Environmental Protection Agency Assessment	Subcontractor

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19009	2/12/25	KRISTANY SKORPUT	480.00	754 DOJ/BPOP	Department of Justice - Berkshire Post Overdose Program	Subcontractor
19010	2/12/25	SOURCEPASS COMPUWORKS LLC	9,441.41	040 ADMIN	Admin	Network Services & Backup
19011	2/12/25	VALLEY GREEN SHREDDING, LLC	42.50	040 ADMIN	Admin	Recycling
19012	2/12/25	BERKSHIRE COUNTY SHERIFFS OFFICE	55,000.00	659 DPH/LHSCT	Department of Public Health - Local Health Support Covid-19 Contact Tracing	Subcontractor
19013	2/19/25	MA STATE BOARD OF RETIREMENT	12,939.41	---	---	Retirement
19014	2/19/25	BSC GROUP INC	420.30	783 LAN/MVP	Lanesborough - Municipal Vulnerability Preparedness	Subcontractor
19015	2/19/25	CHARLENE GRANDSON	169.00	652 DPH/SORPEC25	Department of Public Health - Bureau of Substance Addiction - SOR-PEC Community Circle	Subcontractor
19016	2/19/25	THE COOPER CENTER, LLC	1,948.52	040 ADMIN	Admin	Duct board & Smoke Detectors
19017	2/19/25	MUTUAL OF OMAHA	1,614.25	040 ADMIN	Admin	Life; STD; LTD
19017V	2/19/25	MUTUAL OF OMAHA	-1,614.25	---	---	Voided - Cut Check in Error
19018	2/19/25	RAINBOW DISTRIBUTING COMPANY INC	97.93	040 ADMIN	Admin	Water
19019	2/19/25	THE COOPER CENTER, LLC	9,162.04	040 ADMIN	Admin	Rent
19020	2/19/25	TIGHE & BOND INC	10,553.75	688 WSH/MVPA	Washington - Municipal Vulnerability Preparedness Action	Subcontractor
19021	2/19/25	THE COOPER CENTER, LLC	2,801.79	040 ADMIN	Admin	Utilities
19022	2/26/25	18 DEGREES INC	1,581.88	652 DPH/SORPEC25	Department of Public Health - Bureau of Substance Addiction - SOR-PEC Community Circle	Subcontractor
19023	2/26/25	BERKSHIRE COMMUNITY COLLEGE	2,008.00	652 DPH/SORPEC25	Department of Public Health - Bureau of Substance Addiction - SOR-PEC Community Circle	Subcontractor
19024	2/26/25	MONASIA CEASAR	47.24	650 DPH/SS	Department of Public Health - Shared Services	Monthly Expense Form
19025	2/26/25	FOURSQUARE ITP INC	23,040.91	440 MassDOT/TPL	MA Department of Transportation Planning	Subcontractor
19026	2/26/25	RYAN GRIFFIS	15.12	440 MassDOT/TPL	MA Department of Transportation Planning	Monthly Expense Form

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19027	2/26/25	MACFARLANE OFFICE PRODUCTS, INC.	656.90	040 ADMIN	Admin	Copier Maintenance
19028	2/26/25	MHOA	80.00	650 DPH/SS	Department of Public Health - Shared Services	Conference - Sykes, C
19029	2/26/25	rites of passage and empowerment	1,210.00	652 DPH/SORPEC25	Department of Public Health - Bureau of Substance Addiction - SOR-PEC Community Circle	Subcontractor
19030	2/26/25	SHAMIA SHEPHERD	515.00	646 DPH/MASSCALL3	Department of Public Health MASS CALL 3B - Substance Misuse Prevention	Subcontractor
19031	2/26/25	VALLEY GREEN SHREDDING, LLC	42.50	040 ADMIN	Admin	Recycling
19032	2/26/25	COREY WALKER	320.00	754 DOJ/BPOP	Department of Justice - Berkshire Post Overdose Program	Subcontractor
19033	2/26/25	WB MASON COMPANY INC	160.77	040 ADMIN	Admin	Office Supplies
19034	2/26/25	TOWN OF WILLIAMSTOWN	3,500.00	653 BRPC/INSREIMB	BRPC - Insurance Reimbursement	BOH Mini-Grant
1191	2/5/25	ALEX KOMLEV	19,152.00	745 SHF/EOHLC/CDBGHR	Sheffield EOHLC - Housing Rehabilitation	Subcontractor
1192	2/5/25	CMV CONSTRUCTION SERVICES INC	26,201.25	745 SHF/EOHLC/CDBGHR	Sheffield EOHLC - Housing Rehabilitation	Subcontractor
1192V	2/12/25	CMV CONSTRUCTION SERVICES INC	-26,201.25	---	---	Void - Program Decided to Pay After Complete Service
1193	2/5/25	CMV CONSTRUCTION SERVICES INC	9,524.21	745 SHF/EOHLC/CDBGHR	Sheffield EOHLC - Housing Rehabilitation	Subcontractor
1194	2/11/25	HILL-ENGINEERS ARCHITECTS PLANNERS INC	2,200.00	745 SHF/EOHLC/CDBGHR	Sheffield EOHLC - Housing Rehabilitation	Subcontractor
1195	2/12/25	HILL-ENGINEERS ARCHITECTS PLANNERS INC	1,400.01	745 SHF/EOHLC/CDBGHR	Sheffield EOHLC - Housing Rehabilitation	Subcontractor
1196	2/12/25	HILL-ENGINEERS ARCHITECTS PLANNERS INC	4,600.00	745 SHF/EOHLC/CDBGHR	Sheffield EOHLC - Housing Rehabilitation	Subcontractor
1197	2/12/25	COMMONWEALTH OF MASSACHUSETTS	105.00	745 SHF/EOHLC/CDBGHR	Sheffield EOHLC - Housing Rehabilitation	Lien

Total 351,876.08

January 2025 Credit Card 1189 Payment Support

<u>Check #</u>	<u>Date</u>	<u>Payee</u>	<u>Amount</u>	<u>Department</u>	<u>Department Description</u>	<u>Expense</u>
CCARD	1/6/25	UNITED STATES POSTAL SERVICE	71.40	779 BKTDAL/CDBG	Becket and Dalton - Community Development Block Grant	Postage
CCARD	1/8/25	BIG Y SUPERMARKET	45.17	646 DPH/MASSCALL3	Department of Public Health MASS CALL 3B - Substance Misuse Prevention	Meals - YAB Event

BERKSHIRE REGIONAL PLANNING COMMISSION

Check Register

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CCARD	1/15/25	LULUS TINY GROCERY	46.58	350 BCBOHA	Berkshire County Boards of Health Association - Support Services	Meals - BCBOHA Meeting
CCARD	1/16/25	WANDER BERKSHIRES	9.00	772 PHIWM/BCFG	Public Health Institute of Western Massachusetts - Berkshire County Focus Group	Meals - Youth Prevention Meeting
CCARD	1/23/25	BOSTON SEAPORT HOTEL	665.06	040 ADMIN	Admin	Lodging - Brennan, L

Total 837.21

January 2025 Credit Card 9068 Payment Support

<u>Check #</u>	<u>Date</u>	<u>Payee</u>	<u>Amount</u>	<u>Department</u>	<u>Department Description</u>	<u>Expense</u>
CCARD	12/21/24	SMARTSHEET.COM	1,912.50	650 DPH/SS	Department of Public Health - Shared Services	Computer Software
CCARD	12/23/24	4IMPRINT INC	217.17	758 UBALT/COCLI	University of Baltimore - COCLI - Berkshire Post Overdose Program	Thrive Nametags
CCARD	12/23/24	4IMPRINT INC	720.57	758 UBALT/COCLI	University of Baltimore - COCLI - Berkshire Post Overdose Program	Thrive Engagement Stickers
CCARD	12/30/24	WHITECAP.COM	1,848.84	678 NERHA/ROOTC	New England Rural Health Association - Root Cause Solutions Exchange	Work Cube Kit
CCARD	12/30/24	BITWARDEN INC	-2.18	040 ADMIN	Admin	Tax Credit
CCARD	12/30/24	BITWARDEN INC	-78.75	040 ADMIN	Admin	Tax Credit
CCARD	12/30/24	MASSACHUSETTS MUNICIPAL ASSOCIATION	330.00	040 ADMIN	Admin	Conference - Matuszko, T
CCARD	12/31/24	4IMPRINT INC	-12.27	758 UBALT/COCLI	University of Baltimore - COCLI - Berkshire Post Overdose Program	Tax Credit
CCARD	12/31/24	ECOFLOW.COM	-149.94	678 NERHA/ROOTC	New England Rural Health Association - Root Cause Solutions Exchange	Tax Credit
CCARD	1/2/25	AMAZON.COM	12.00	040 ADMIN	Admin	Backup to Archive
CCARD	1/2/25	AMAZON.COM	35.85	040 ADMIN	Admin	Office Supplies
CCARD	1/4/25	STRAIGHT TALK WIRELESS	37.42	040 ADMIN	Admin	BRPC Cell Phone Service
CCARD	1/8/25	AMAZON.COM	-26.94	040 ADMIN	Admin	Return Credit

BERKSHIRE REGIONAL PLANNING COMMISSION

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CCARD	1/8/25	GOTPRINT.COM	43.21	40 ADMIN	Admin	Business Cards - Gonzalez-Ortiz, N
CCARD	1/8/25	UNITED STATES POSTAL SERVICE	57.12	779 BKTDAL/CDBG	Becket and Dalton - Community Development Block Grant	Postage
CCARD	1/9/25	ESRI	120.00	524 DAL/SW	Dalton - Stormwater Management Support	GIS Services
CCARD	1/12/25	ZOOM VIDEO COMMUNICATIONS INC	48.00	040 ADMIN	Admin	Software Subscription
CCARD	1/13/25	AMAZON.COM	26.97	040 ADMIN	Admin	Office Supplies
CCARD	1/13/25	BERKSHIRE JOBS	199.00	545 EOHLCD/LTA	District Local Technical Assistance	District Local Technical Assistance 2024
CCARD	1/13/25	GRAINGER	62.08	284 BPHA/PHN	Berkshire Public Health Alliance - Regional Public Health Nursing Program	PHN Supplies
CCARD	1/14/25	UNITED STATES POSTAL SERVICE	9.62	754 DOJ/BPOP	Department of Justice - Berkshire Post Overdose Program	Naloxone Kit Postage
CCARD	1/15/25	PLACITA LATINA RESTAURANT & MARKET	102.20	782 MassCEC/IMP	MassCEC - Pittsfield Energy Coaching Program Implementation	Meals - IMP Meeting
CCARD	1/16/25	HUGGABLE IMAGES	956.82	653 BRPC/INSREIMB	BRPC - Insurance Reimbursement	BOH Training Supplies
CCARD	1/16/25	GRAMMARLY	121.57	040 ADMIN	Admin	Computer Software License
CCARD	1/17/25	AMAZON.COM	40.64	040 ADMIN	Admin	Office Supplies
CCARD	1/22/25	BOOKSHOP.ORG	67.99	652 DPH/SORPEC25	Department of Public Health - Bureau of Substance Addiction - SOR-PEC Community Circle	Unity Session Materials
CCARD	1/22/25	AMAZON.COM	61.23	526 BCSO/OPIOID	Berkshire County Sheriff's Office - Opioid Prevention	Crane Center Snacks
CCARD	1/22/25	AMAZON.COM	380.77	754 DOJ/BPOP	Department of Justice - Berkshire Post Overdose Program	Crane Center Supplies
CCARD	1/22/25	GOV.DOCS	36.97	040 ADMIN	Admin	Poster Kit
CCARD	1/23/25	AMAZON.COM	12.53	040 ADMIN	Admin	Office Supplies
CCARD	1/23/25	BERKSHIRE THEATRE GROUP	169.00	652 DPH/SORPEC25	Department of Public Health - Bureau of Substance Addiction - SOR-PEC Community Circle	Unity Session Materials
CCARD	1/24/25	DUN & BRADSTREET	1,633.92	040 ADMIN	Admin	Subscription Installment #4
CCARD	1/24/25	CONSTANT CONTACT INC	88.00	040 ADMIN	Admin	Newsletter Subscription

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Total			<u><u>9,081.91</u></u>			

BERKSHIRE REGIONAL PLANNING COMMISSION

Aged Receivables

As of Feb 28, 2025

Filter Criteria includes: 1) Includes Drop Shipments. Report order is by ID. Report is pri

<u>Customer ID</u>	<u>Customer</u>	<u>Over 90 days</u>	<u>Amount Due</u>	<u>Notes</u>
283 BPHA/INSP/RCH	TOWN OF RICHMOND		4,865.00	
284 BPHA/PHN/BHDC	BERKSHIRE HOUSING DEVELOPMENT CORP		600.00	
284 BPHA/PHN/FLA	TOWN OF FLORIDA		577.50	
284 BPHA/PHN/HAN	TOWN OF HANCOCK	551.25	551.25	Alecia followed up
284 BPHA/PHN/RCH	TOWN OF RICHMOND		1,125.00	
284 BPHA/PHN/RIV	RIVER RUN APARTMENTS		200.00	
284 BPHA/PHN/WND	TOWN OF WINDSOR		826.92	
284 BPHA/PHN/WSH	TOWN OF WASHINGTON		577.50	
326/BURN/EGR	EGREMONT FIRE DEPARTMENT	115.00	115.00	Alecia followed up
326/BURN/GTB	GREAT BARRINGTON FIRE DEPT	115.00	115.00	Alecia followed up
326/BURN/NAS	TOWN OF NEW ASHFORD	115.00	115.00	Alecia followed up
326/BURN/SHF	TOWN OF SHEFFIELD	115.00	115.00	Alecia followed up
350/BCBOHA	BERKSHIRE COUNTY BOARDS OF HEALTH ASSOC		908.56	
440/TPL	MASSDOT#75425 - TPL		110,511.65	
518-519 FRCOG/BRMC	FRANKLIN REGIONAL COUNCIL OF GOVT	6,495.69	6,495.69	Laura K to follow up
560 MORTON SALT	MORTON SALT, INC.		9,469.56	
560 SONOCO LP	SUNOCO		421.78	
560 SUPERIOR PLUS	SUPERIOR PLUS ENERGY	170.93	170.93	Becky followed up
569 DOER/REPA	COMMONWEALTH OF MASS		8,480.95	
664 CLK/MVP	TOWN OF CLARKSBURG		23,184.15	
681 NEHA-FDA/FSPA	NATIONAL ENVIRONMENT HEALTH ASSOCIATION		212.50	
685 HVA/BCCCP	HOUSATONIC VALLEY ASSOCIATION		10,133.27	
715 USDA/RFSP	USDA REGIONAL FOOD SYSTEM		1,910.84	
733.00 USDOT	USDOT EQUITY CONCERNS		2,468.00	
733.01 MASSDOT/SS4A	OFFICE OF TRANSPORTATION PLANNING		14,082.53	
737 COMM/ART - LEN	TOWN OF LENOX		4,000.00	
737 COMM/ART - PTS	CITY OF PITTSFIELD		4,000.00	
738 BTI/NEA/CUL	BERKSHIRES TOMORROW INC		14,500.71	
754 DOJ/COPA	DEPT OF JUSTICE		36,815.94	
760 PHIWM/413CARES	PARTNERS FOR A HEALTHIER COMMUNITY		3,700.00	
766 SAV/CUL	TOWN OF SAVOY	8,328.63	11,362.61	Courteny followed up

BERKSHIRE REGIONAL PLANNING COMMISSION

Aged Receivables

As of Feb 28, 2025

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<u>Customer ID</u>	<u>Customer</u>	<u>Over 90 days</u>	<u>Amount Due</u>	<u>Notes</u>
777 DFD/ADA	DALTON FIRE DEPARTMENT		4,473.50	
779 BKT/CDBG	TOWN OF BECKET		15,751.21	
780 BTI/EOEEA/BOW	BERKSHIRES TOMORROW, INC.		8,909.26	
781 PHIWM/CHNA	PARTNERS FOR A HEALTHIER COMMUNITY	7,500.00	7,500.00	Laura K to follow up
785 NAD/MVP	CITY OF NORTH ADAMS		7,186.07	
788 NAD/BFINV	CITY OF NORTH ADAMS		2,105.23	
794 SAV/CRMA	TOWN OF SAVOY		3,164.35	
GAHERTY INSURANCE	LAUREN GAHERTY		677.06	
MIIA GRANT	MIIA		1,106.91	

Report Total

23,506.50 323,486.43

Current Balance
\$0.00

Available Credit
Amount Due
Payment Due Date

\$500,000.00
\$0.00
Mar 5, 2025



It appears you don't have any recent activity.

When available, this is where your account activity will display.



BRPC

Berkshire Regional Planning Commission

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

MEMORANDUM

TO: Executive Committee, Berkshire Regional Planning Commission
FROM: Thomas Matuszko, Executive Director
DATE: March 1, 2025
SUBJ: Agenda Items – March 6, 2025, Executive Committee Meeting

VI. Items Requiring Action

A. **Vote to Approve the Submission of a Grant Application to the U.S. Environmental Protection Agency for Brownfields Revolving Loan Fund Supplemental Funding ***

The Executive Committee is requested to authorize the Executive Director to submit a grant application to the U.S. Environmental Protection Agency to recapitalize the Berkshire Brownfields Revolving Loan Fund and to sign any resulting contracts and agreements. Recent loan and subgrant activity include Greylock Works in North Adams, Eagle Mill in Lee, and Ried Cleaners in Great Barrington. We have committed all available funds and have not been able to fully meet demand. Additional funding is needed to support the cleanup at Ried Cleaners in Great Barrington along with expected/potential need at the Former Tannery Dump in North Adams and one or more sites in both Adams and Pittsfield. We need additional funds in the loan pool to keep these important redevelopment projects moving forward. There is no required match. Staff lead on this project is Environmental & Energy Program Manager Melissa Provencher mprovencher@berkshireplanning.org.

B. **Vote to Approve the Berkshire Regional Planning Commission joining an Amicus Brief related to the Discontinuance of Roads, specifically the Commonwealth of Massachusetts Supreme Judicial Court No. SJC-13721, Town of Concord, Plaintiff-Appellee, v. Neil E. Rasmussin, Anna Rasmussin, Brooks S. Read, Susannah Kay, Russell Robb III, Leslie Robb and Thomas Wray Falwell, Trustees of the Pippin Tree Land Trust, and President and Fellows of Harvard College, Defendants-Appellants.***

The Executive Committee is requested to authorize the Berkshire Regional Planning Commission to join an Amicus Brief related to the discontinuance of roads in the case cited above. A lower court ruling, now under appeal by the Supreme Judicial Court, has retroactively held that certain discontinued roads around the Commonwealth are not fully discontinued, but have a latent general public easement for travel. If sustained, the decision retroactively affects planning decisions and impairs over a thousand property deeds and titles throughout the state. The City of North Andover is preparing this Amicus Brief and BRPC has been asked to join it, along with other parties, including the Franklin Regional Council of Government. The brief is still in

draft form and will likely be submitted in mid-March. A summary of the situation relating to Berkshire County is contained in the meeting material.

VII. Committee Reports and Discussion

A. Regional Issues Committee

The Regional Issues Committee met on February 5, 2025. There was an update on Accessory Dwelling Unit Regulations and discussion about legislative priorities. The February 26 meeting was canceled due to a lack of quorum. Draft meeting minutes are not yet available.

B. Transportation Advisory Committee (TAC)

The Transportation Advisory Committee met on February 18, 2025. Topics included discussion on the development of the 2026 – 2030 Transportation Improvement Program and project evaluation scores and a presentation on Berkshire County's Safe Travel and Equity Plan for our Streets (STEPS) Comprehensive Safety Action Plan. Next meeting is scheduled for March 18, 2025. Draft meeting minutes are not yet available.

C. Brownfields Committee

The Brownfields Committee met on February 25, 2025. Brooke Healy, Town of Lee Planner, was approved as a new member of the Brownfields Committee. Coby Tarjick, Community Development Program Manager, is the new representative for Adams. Sites for Environmental Site Assessments and the revolving loan fund were discussed. Draft meeting minutes are not yet available.

D. Berkshire Metropolitan Planning Organization (MPO)

The MPO met on February 25, 2025. Amendments to the TIP were considered for approval. There was a presentation on Safety Performance Measure Targets and discussion on the development of the 2026 – 2030 Transportation Improvement Program and project evaluation. February minutes are not yet available. Draft meeting minutes are not yet available.

VIII. Executive Director's Report and Discussion

A. Report on New Contracts/Agreements

New Grants and Contracts received/initiated from 1/31/2025 to 2/27/2025.

- Pittsfield - 5 Year Consolidated Plan & 2026 Annual Action Plan - \$35,000
- Adams - ADA Self-Evaluation and Transition Plan - \$45,000
- Toxics Use Reduction Institute (TURI) - Plastics and Microplastics Reduction - \$7,000
- Dalton – Digital Equity Implementation – \$17,327.34

Grants and Contracts not received.

- We are not aware of any grants not received.

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

- There was no activity for B.T.I. in February.

C. Staff Update

- New Staff and Interns – resumes in materials
 - Sam(antha) Kittle, Public Health Emergency Preparedness Planner
 - Christy Lemoine, Medical Reserve Corps Assistant Coordinator
 - Angeli Franz, Public Health Gray to Green Intern
- Open Positions:

- Public Health Training Specialist
- Youth Advisory Board Consultant
- Internships
 - Digital Navigator
 - Outdoor Recreation
 - Youth Prevention & Mental Health

D. Rural Policy Advisory Commission (RPAC) Update

The Rural Policy Advisory Commission met on February 14 2025. Main items on the agenda were a discussion about the upcoming Western Mass – Rural Conference., discussion about the Auditor’s recently released report on PILOT payments, and discussion about priority bills in the legislative session.

E. Seasonal Communities Advisory Council Update

The Seasonal Communities Advisory Council did not meet in February, 2025.

F. Passenger Rail

- West-East Rail – No known activity over the past month.
- Berkshire Flyer – A summer 2025 schedule has not been announced yet. Construction activity on the line from NYC to Albany may limit the availability of trains. It is possible there will not be service in 2025.
- Northern Tier Passenger Rail – Congressman McGovern convened a meeting in Greenfield February 28, 2025 with MassDOT, legislators, and other key stakeholders. The purpose of the meeting was to strategize about the next steps to move this service forward. MassDOT reported they intend to apply to the Federal Rail Authority (FRA) Corridor ID grant program in the fall, assuming it is still available. This grant would contain more details about the service plan as well as needed improvements.

G. FY2026 Medical, Dental and Vision Costs

- In FY 26, the medical insurance rates will increase 12.45%. MIIA's average medical rate increase is 14.84%.
- In FY 26, the dental insurance rate will increase by 6.57%. MIIA's average medical rate increase is 6.7%.
- In FY 26, the Blue 20/20 Vision insurance will not change

H. A Home for Everyone: A Comprehensive Housing Plan for Massachusetts

The Massachusetts Executive Office of Housing and Livable Communities (EOHLC) released its statewide housing plan. The plan outlines the housing challenges facing Massachusetts; identifies currently unmet and projected housing needs; sets goals for housing production and preservation; and outlines five overarching strategies for tackling the crisis. Along with the plan, EOHLC is publishing the first iteration of a Statewide Housing Needs Assessment as a companion document for those interested in the detailed analysis. The full report can be accessed at [A Home for Everyone: Massachusetts' Statewide Housing Plan | Mass.gov](#).

I. Building for Tomorrow Report

The Unlocking Housing Production Commission (UHPC) recently released its report, “**Building for Tomorrow**,” which provides over 50 recommendations

to increase the supply of housing and lower costs for Massachusetts residents. There are recommendations across four broad themes: economic incentives and workforce development in the housing industry, updating land use and zoning practices, streamlining regulations, codes, and local permitting, and bolstering state planning and local coordination.

J. Vacant Storefront Properties Grant Program

The Massachusetts Vacant Storefront Grant Program was created to aid municipalities in their efforts to revitalize their downtown and commercial areas by encouraging the occupancy of long-term vacant storefronts. The program allows municipalities to use refundable tax credits as a tool to attract businesses to prominent vacancies within a community's downtown and/or commercial area. There are several changes to the program this year which make it a more attractive option for municipalities to be able to provide tax relief for businesses. More information is included in the meeting material and can be obtained at [Massachusetts Vacant Storefronts Program \(MVSP\) | Mass.gov](#).

K. CPTC (Citizen Planner Training Collaborative) Annual Conference

The 30th CPTC Annual Conference for Massachusetts citizen and professional planners will be held at Holy Cross College in Worcester on Saturday, March 15th from 8:00 am to 3:30. The 18 workshops include core subjects and current topics in Massachusetts municipal planning. The cost is \$95. Registration is required with the registration deadline being March 11th. More information is at [Annual Conference – CPTC](#).

L. Accessory Dwelling Unit Model Zoning

The Executive Office of Housing and Livable Communities, in partnership with MAPC and MHP, will be holding a webinar on the ADU Model Zoning which will be published on www.mass.gov/adu on March 11. The webinar will be held from 3:00 – 4:30 PM, Tuesday March 11, 2025. Registration is at [Webinar Registration - Zoom https://us06web.zoom.us/webinar/register/WN_vAaHhL-XS0K2XXcmaWKMCg#/registration](#)

IX. Old Business

A. Discussion about Proposed Article 97 Regulations

The Executive Office of Energy and Environmental Affairs has re-opened the comment period for proposed Article 97 Regulations. At the last Executive Committee meeting I presented a comment letter I prepared requesting the period be extended. Comments are now due by 5:00 PM March 26, 2025. An explanation of the process is included in the meeting materials. The regulations can be found at [Article 97 & An Act Preserving Open Space in the Commonwealth \(M.G.L. c. 3, § 5A\) | Mass.gov](#).

B. Discussion about the Potential for the Open Meeting Law to Require In-person Meetings after March 31, 2025

As was discussed at the previous meeting, the provision to allow flexible remote public meetings expires on March 31, 2025. The governor filed legislation in the Municipal Empowerment Act to extend those provisions. In addition to the Open Meeting Law provisions in the Municipal Empowerment Act, the Massachusetts Municipal Association, and Massachusetts Association

of Regional Planning Agencies also strongly support bills filed by Rep. Danielle Gregoire and Sen. Jacob Oliveira, HD.2863 and SD.1850, respectively, entitled *An Act to modernize municipal meetings, town meetings, and local elections*. All of these proposals would codify the public meeting provisions that have been overwhelmingly successful over the past five years. It is not certain that provisions to allow flexible remote public meetings will be extended by the March 31st deadline. Prior to the relaxation of the virtual option due to COVID, there was an option for remote participation subject to certain requirements. Excerpts from the Open Meeting Law are included in the meeting material. I have highlighted a couple of those requirements:

- The regional or district public body must, by a simple majority, vote to allow remote participation in accordance with the requirements of 940 CMR 29.10, with that vote applying to all subsequent meetings of that public body and its committees.
- A quorum of the body, including the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location, as required by M.G.L. c. 30A, § 20(d);

We should discuss whether the Commission should act on this at its March 20th meeting.

X. New Business

A. Discussion about Topics for the March 20, 2025 Commission Meeting

Potential topics include:

- Adopt Remote Participation Provisions of the Open Meeting Law
- Presentation on the Auditors Report about PILOT Payments
- Presentation on the State's Housing Plan
- Approve Comments of Article 97 regulations
- Presentation of the Building for Tomorrow Report about recommendations to remove barriers to housing development
- Presentation about the Vacant Storefront Properties Grant Program
- Other ideas

XI. Adjournment*

Additional Meeting Material:

- 2025.02.02 Executive Committee Meeting Minutes – Unapproved DRAFT
- January 28, 2025 – February 27, 2025 Expenditures Report
- February 2025 Account Receivables Report
- 2025.02.24 Line of Credit Report
- 2025.03.06 Executive Director Memorandum
- Berkshire County Road Discontinuances Summary
- Resume - Samantha Kittle
- Resume – Christine Lemoine
- Resume Angeli Franz
- Notice to Reviewers – Proposed Open Space Act Regulations (310 CMR 52)
- Open Meeting Law Regulations Excerpt
- January 2025 – Technical Assistance Memorandum

Berkshire County Road Discontinuances

Via Chapter 82 Section 32A (1924)

February 11th, 2025

A lower court ruling, now under appeal by the Supreme Judicial Court, has retroactively held that certain discontinued roads around the Commonwealth are not discontinued, but have a latent general public easement for travel. If sustained, the decision retroactively affects planning decisions and impairs over a thousand property deeds and titles throughout the state.

MGL Chapter 82 Section 32A (1924) titled "Discontinuance of Certain Ways as Public Ways," existed from 1924 to 1983 and was used to discontinue roads throughout the Commonwealth. Section 32A was one of four statutes that provided for road discontinuance under Chapter 82 but was the *only* statute that granted select boards or town officers the ability to petition their respective counties for the privatizing (abandonment) of fee title of the land within the old roadway layout - if it had been taken by public authority. In addition, 32A was the *only* statute that could directly facilitate the discontinuance of *either* town or county ways and ways of unknown origin.

AN ACT RELATIVE TO THE DISCONTINUANCE OF CERTAIN WAYS AS PUBLIC WAYS. *Chap.289*

Be it enacted, etc., as follows:

Chapter eighty-two of the General Laws is hereby amended by inserting after section thirty-two the following new section: —

Section 32A. Upon petition in writing of the board or officers of a town having charge of a public way, the county commissioners may, whenever common convenience and necessity no longer require such way to be maintained in a condition reasonably safe and convenient for travel, adjudicate that said way shall thereafter be a private way and that the town shall no longer be bound to keep the same in repair, and thereupon such adjudication shall take effect; provided, that sufficient notice to warn the public against entering thereon is posted where such way enters upon or unites with an existing public way. This section shall not apply to ways in cities.

G. L. 82, new section after § 32.

Discontinuance of certain ways as public ways.

Proviso.

Not applicable to ways in cities.

Approved April 24, 1924.

The term "discontinuance" is well established in the law: "if the way be discontinued, he [the owner] shall hold the land free from the encumbrance." Perley v. Chandler, 6 Mass. 453 (1810). §32A is described in the *Massachusetts Law and Practice Manual* under "Discontinuance of Public Ways by County Commissioners." Consistent with discontinuance, ways discontinued under this statute have been removed from parcel maps and plans, obliterated, overgrown, built-over, gated, subdivided, and posted "no trespassing." Towns have permitted subdivision and construction over the roads. Such discontinued roads have all been treated as discontinued by towns, counties, the Commonwealth¹, the federal government², property owners, conveyance attorneys, and land surveyors.

List of Towns in Berkshire County that utilized §32A to legally discontinue multiple unused ways.

(Note: not all county records are complete, therefore additional Berkshire County towns may have utilized this discontinuance statute)

Dalton
Florida
Lee
Monterey
Williamstown
Stockbridge
Adams
Hinsdale
Great Barrington
Cheshire
Lenox
West Stockbridge

The appendix attached is a representative sampling of §32A discontinuances in Berkshire County.

¹ A number of the discontinued roads are now owned by the Commonwealth within State Forests. The State treats these as discontinued and claims ownership and control over them.

² A number of the discontinued roads are now owned by the Federal Army Corps of Engineers. The Corps treats these as discontinued and claims ownership and control over them.

Conclusion

If the courts, a century later, were to uphold the 2022 Land Court decision that old ways discontinued under 1924 Section 32A retained special latent general public easements, such unrecorded latent easements would impair hundreds of property titles within Berkshire County and all across the state.

The accepted standard for title examination is only to look back 50 years. If a modern novel re-interpretation of this discontinuance statute were to be applied retroactively, creating latent undocumented public easements on roads discontinued, some over 100 years ago, no contemporary examination would discover such easements, or even the location of the discontinued ways in Berkshire County.

Such easements, if newly judged to exist, could be uncovered at any future time, generating multiple title defects and spurring extensive and expensive litigation for municipalities, private property owners, and conservation organizations. A holding of the lower court decision, ruling that the properties, once contained within these discontinued roadbeds, are now to be resurrected as general public ways - open to vehicular travel 24/7 - would be highly disruptive.

As noted, many of these old ways have been removed from deeds, plans and parcel maps, built upon, redeveloped, or rewilded within sensitive conservation properties. **The Massachusetts Supreme Judicial Court has solicited amici submissions by interested and/or concerned parties with respect to the lower court ruling. The Town of North Andover is preparing an amicus brief supporting a reversal of the lower court decision; thus far, it will be joined by the Franklin Regional Council of Governments and the Plymouth County Commissioners -- representing Plymouth County. North Andover is looking for other affected counties and municipalities to join their brief which will be submitted in mid-March.**

Appendix of Example Berkshire County Roads follows:

1972 Discontinuance of Chanter Road in Lee, by the Berkshire County Commissioners

April 25th., 1972: Selectmen of the Town of Lee, petition that the county commissioners of said county, acting under the provisions of Chapter 82, Section 32A of the General Laws, (Ter. Ed.) adjudicate that a portion of Chanter Road, beginning at a point in the center of said road 700 feet southerly of intersection with Cape, Rt. 20, East Lee, to a point which is the end of the road at intersection with a private road from Forest Street to Goose Pond, a total distance of 4189.7 feet and 3 rods wide,

THE COMMONWEALTH OF MASSACHUSETTS

Berkshire, ss:

At a regular meeting of the county commissioners begun and holden at Pittsfield within and for the County of Berkshire on Tuesday, the twenty-fifth day of April, A. D. 1972,

Present, Matthew J. Collins, Chairman,
James A. Bowes,
John F. Shea, County Commissioners.

WHEREAS, On November 4, 1971, the Selectmen of the Town of Lee filed a petition praying for an adjudication that a portion of Chanter Road lying 700 feet southerly of its intersection with Cape, Route 20, East Lee to a point which is the end of the road at its intersection with a private road from Forest Street to Goose Pond; a total distance of 4189.7 feet and 3 rods wide, be a private way and that the Town of Lee shall no longer be bound to keep the same in repair; and

WHEREAS, pursuant to the filing of said petition, an order of notice was adopted on November 9, 1971 by the county commissioners for Berkshire

County, appointing the District Court Room in the Town of Lee as the place where, and one o'clock in the afternoon of December 7, 1971 as the time when the county commissioners would proceed to hear all persons interested in said petition, view the premises referred to in said petition, if considered expedient, and take such action in relation thereto as by law they might be authorized or required to do; and

WHEREAS, an attested copy of said petition and order of notice was caused to be published in the Berkshire Eagle, a newspaper printed in Pittsfield in said County of Berkshire, on the fifteenth and twenty-second days of November A. D. 1971, and on the eleventh day of November A. D. 1971; another attested copy was caused to be served upon the Clerk of the Town of Lee and two additional attested copies thereof were caused to be posted in two public places within the said Town of Lee; and

WHEREAS, John F. Shea, Chairman, James A. Bowes, and Matthew J. Collins, County Commissioners, met in pursuance of said order of notice on Tuesday the seventh day of December A. D. 1971 at one o'clock in the afternoon in the District Court Room in said Lee, and heard persons for and against the petition (it having previously appeared that all persons interested had been duly notified of said petition and of the time, place and purpose of said meeting in accordance with the requirements of said order), and viewed the premises.

Now Therefore, on this twenty-fifth day of April A. D. 1972, at a regular meeting of the county commissioners, it is hereby ORDERED, ADJUDGED AND DECREED, by County Commissioners John F. Shea and James A. Bowes, Commissioner Matthew J. Collins being opposed, that the following described portion of the said road be, and hereby is discontinued under the provision of Mass. General Laws (Ter. Ed.) C. 82 S. 32A:-

Beginning at a point in the center of said road 700 feet southerly of intersection with Cape, Route 20, East Lee; thence South 26°-49' West, 46.9 feet to a point; thence South 43°-00' West, 193.6 feet to a point; thence South 21°-41' West, 223.9 feet to a point; thence South 36°-45' West, 110.4 feet to a point; thence South 30°-18' West, 244.2 feet to a point; thence South 16°-33' West, 127.65 feet to a point; thence South 9°-35' West, 148.9 feet to a point; thence South 9°-50' East, 331.6 feet to a point; thence South 14°-21' East, 253.9 feet to a point; thence South 12°-15' East, 471.9 feet to a point; thence South 16°-22' East, 203.4 feet to a point; thence South 10°-22' East, 107.6 feet to a point; thence South 14°-25' East, 104.5 feet to a point; thence South 11°-23' East, 161.6 feet to a point; thence South 12°-35' East, 233.4 feet to a point; thence South 12°-10' East, 139.9 feet to a point; thence South 8°-23' East, 227.1 feet to a point; thence South 50°-48' East, 120.4 feet to a point; thence South 56°-53' East, 145.2 feet to a point; thence South 50°-12' East, 120.3 feet to a point; thence South 8°-12' East, 107.6 feet to a point; thence South 9°-12' East, 136.9 feet to a point; thence South 27°-23' East, 68.6 feet to a point; thence South

April 13 -06' East, 160.25 feet to a point, which is the end of the road at its inter-
25th., section with a private road from Forest Street to Goose Pond; total distance
1972: 4189.7 feet, 3 rods wide.

All as shown on a plan this day filed with and approved by said County Commissioners marked "The Commonwealth of Massachusetts PLAN OF ROAD in the Town of Lee, Chanter Road, Berkshire County", discontinued as a town road by the County Commissioners April 25, 1972, Scale 1 inch equals 100 feet and prepared by the Berkshire County Engineering Department.

Matthew J. Collins

James A. Bowes

John F. Shea

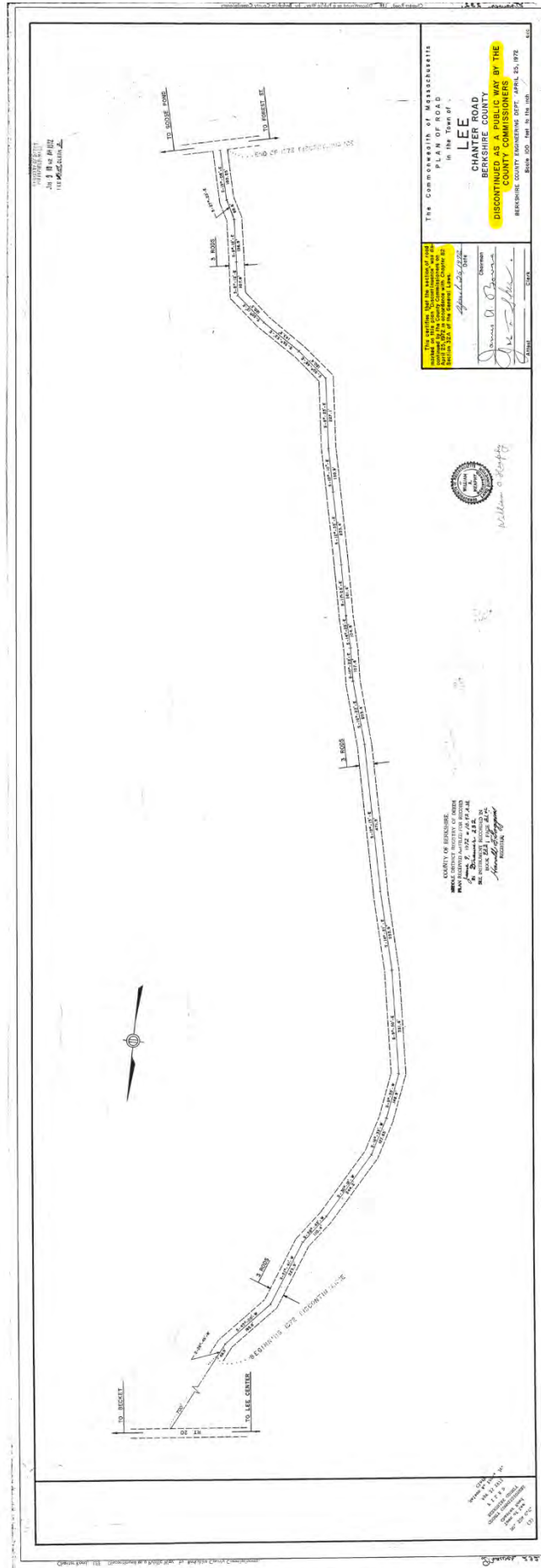
Berkshire County Commissioners.

On April 25, 1972, a plan was approved and filed.

On April 27, 1972, order recorded in Berkshire Middle District Registry of Deeds in Book 923, Page 21&c.

A true record.

Attest: Nelson A. Pocher
Clerk



1972 Plan Chanter Road "Discontinued as a Public Way by the County Commissioners"

1980 Discontinuance of a portion of Royal Hemlock Road in Monterey by the Berkshire County Commissioners.

Dec. Hemlock Rd. (No. 668 C.C.)
23rd., THE COMMONWEALTH OF MASSACHUSETTS
1980 Berkshire, ss:

At a regular meeting of the County Commissioners begun and holden at Pittsfield within and for the County of Berkshire on Tuesday, the twenty-third day of December A.D. 1980,

Present: John Barrett, III, Chairman
John J. Pignatelli
John W. Bartels, County Commissioners

Petition No. 668 C.C. On the petition of the Selectmen of the Town of Monterey in said County: That common convenience and necessity require the discontinuance of a portion of a highway in the Town of Monterey now or formerly known as Royal Hemlock Road described as follows: Beginning at a point at Curtin's Corner, so-called, and proceeding in a general northerly direction, a distance of 2980 feet, more or less, to the Tyringham town line.

An Order of Notice was adopted on October 30, 1979, appointing a time when and a place where the County Commissioners would proceed to view the premises referred to in said petition, if expedient, and would hear all persons interested therein, and take such actions in relation thereto as by law they might be authorized or required to do; and

Whereas, John J. Pignatelli, Chairman John Barrett, III and John W. Bartels, County Commissioner met in pursuance of said Order on Tuesday, the eighteenth day of December A.D. 1979, at three o'clock in the afternoon in the County Commissioners' office in the Superior Courthouse, 76 East Street, Pittsfield, Mass., the time and place appointed by said Order, and heard persons interested (It previously appeared that the Selectmen of said Town of Monterey and all others interested had been duly notified of said petition and of the time, place and purpose of said meeting in accordance with the requirements of said Order) and thereafter on the suggestion of James A. Bowes, County Attorney, that the original petition filed on October 25, 1979, be amended, it was thereupon voted by Stefan Grotz and Richard D. Tryon, Selectmen of the Town of Monterey, to amend said petition by inserting after the word "line" first appearing in the third line in the second paragraph of said petition, the words "pursuant to the provisions of Massachusetts General Laws, Chapter 82, Section 32A" so that said paragraph as amended will read as follows: Beginning at a point at Curtin's Corner, so-called and proceeding in a general northerly direction, a distance of 2980 feet, more or less, to the Tyringham town line, pursuant to the provisions of Massachusetts General Laws, Chapter 82, Section 32A and thereafter it was,

ADJUDICATED, by the said County Commissioners that common convenience and necessity require the discontinuance of said road pursuant to the provisions of Massachusetts General Laws, Chapter 82, Section 32-A.

NOW, THEREFORE, on this twenty-third day of December A.D. 1980, at a regular meeting of said County Commissioners, it is hereby ORDERED, ADJUDGED AND DECREED, that a portion of a highway in the Town of Monterey, now or formerly known as Royal Hemlock Road, described as follows: Beginning at a point at Curtin's Corner, so-called, and proceeding in a general northerly direction, a distance of 2980 feet, more or less, to the Tyringham town line shall be discontinued pursuant to the provisions of Massachusetts General Laws, Chapter 82, Section 32A.

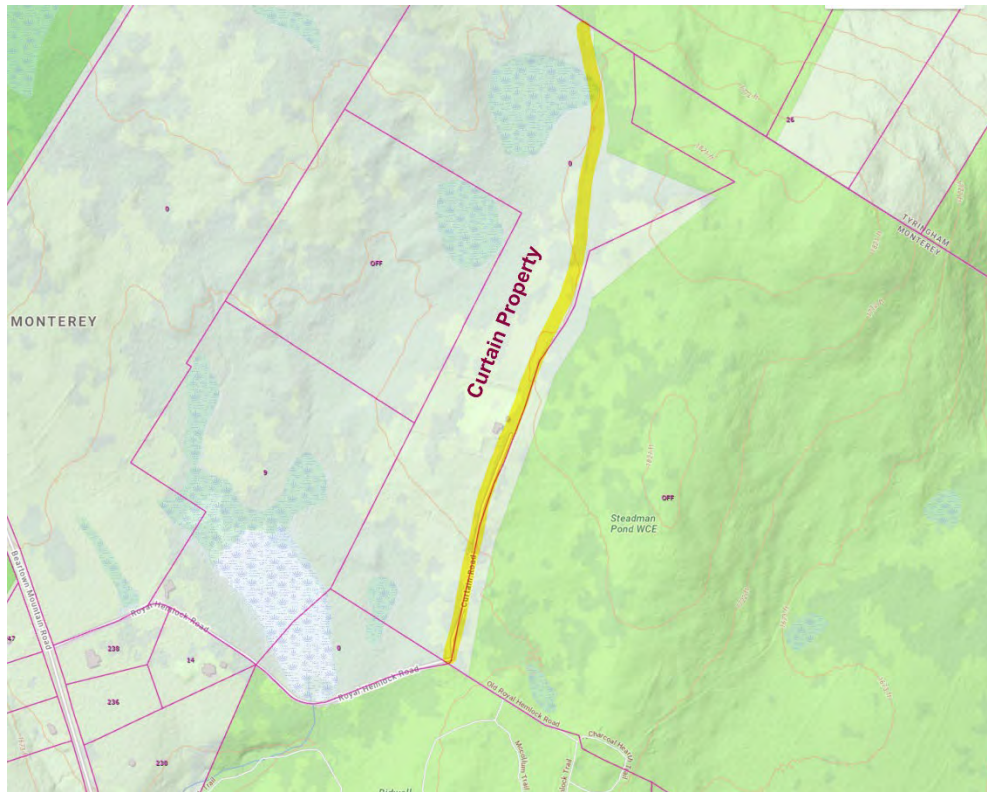
IT IS FURTHER ORDERED that any damages that may be sustained by any parties as a result of this discontinuance shall be paid by the Town of Monterey.

John Barrett, Chairman, Berkshire County Commissioners
John J. Pignatelli, Berkshire County Commissioner
John W. Bartels, Berkshire County Commissioner

1960 USGS Plan showing path of Discontinued Portion



Modern parcel map showing portion discontinued. The northern portion was removed from the parcel map. The southern portion is a private drive named "Curtain Road" after the parcel owner Mr. Curtain



Modern map image highlighted to show path of discontinued portion



Deed for Curtain property including Discontinued Royal Hemlock Road.
(see prior page). Deed describes no easement on the discontinued way.
(3 pages)

Bk: 02689 Pg: 343



Bk: 2689 Pg: 343 Doc: DEED
Page: 1 of 3 05/19/2021 10:58 AM

KNOW ALL BY THESE PRESENTS

That I, **JAMES D. CURTIN**, of Monterey, Berkshire County, Massachusetts, for no consideration paid as this constitutes a transfer and not a sale, grant to **PETER L. CURTIN, JR.**, all my right title and interest in the One-Fourth share which I now hold as tenants in common with **PETER L. CURTIN, JR.**, with **QUITCLAIM COVENANTS**, the land located in the Town of Monterey, County of Berkshire and Commonwealth of Massachusetts bounded and described as follows:

Hemlock Road, Monterey, MA

Bounded northerly by the town line and lands now or formerly of George R. Carrington; westerly by land of James McManus, land of Wilbur Miner, and land supposed to belong to one Standard; southerly by lands now or formerly of said George B. Carrington; and easterly on the highway and land now or formerly of said George R. Carrington.

The premises above described are estimated to contain sixty (60) acres, more or less, and are called the "John McCollum Farm."

Subject to a Forest Land Tax Lien dated September 15, 1988 and recorded in the Southern Berkshire Registry of Deeds on September 30, 1988 in Book 683, Page 127, of which 58 acres are managed under an approved Forest Management Plan as shown by State Forester's certificate #010-89-1.

Title to the grantor's One-Third of the One-Fourth share of the Premises is derived from the estate of Peter Lee Curtin, Sr. a/k/a Peter L. Curtin Sr. (see Deed of Distribution of Peter L. Curtin, Jr. as the Personal Representative of the Estate of Peter Lee Curtin, Sr., a/k/a Peter L. Curtin Sr. dated January 15, 2019 and recorded in the Berkshire Southern District Registry of Deeds in Book 2516, Page 287), which deed grants, releases and distributes a One-Fourth share of the premises as Tenants in Common to Peter L. Curtin, Jr., Matthew A. Curtin, and James D. Curtin as tenants in common.

Also being all and the same premises conveyed to Peter L. Curtin, John N. Curtin, James J. Curtin, and Thomas F. Curtin by deed of Ruth V. Taylor, dated March 24, 1967, and recorded in the said Southern Berkshire District Registry of Deeds in Book 356, Page 196&c. See also deed of James J. Curtin dated September 8, 1988, conveying his one-fourth interest in said parcel of land to Thomas F. Curtin, recorded in said Registry of Deeds on September 10, 1998 in Book 1088, Page 132. See also deed of Matthew A. Curtin to Peter L. Curtin, Jr. dated July 31, 2019 and recorded in the said Registry of Deeds in Book 2542, Page 166.

Title of the grantor herein is derived under the Will of Peter Lee Curtin, Sr., a/k/a Peter L. Curtin, Sr. (Docket No. BE15P0390EA). Peter Lee Curtin died May 1, 2015.

WITNESS MY HAND AND SEAL this 14th day of May 2021.

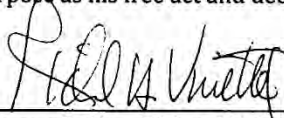


JAMES D. CURTIN

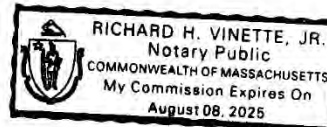
COMMONWEALTH OF MASSACHUSETTS

Berkshire County, ss:

On this 14th day of May 2021, before me, the undersigned notary public, personally appeared **JAMES D. CURTIN**, proved to me through satisfactory evidence of identification, which was PERSONAL KNOWLEDGE, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as his free act and deed.



Notary Public: Richard H. Vinette, Jr.
My Commission Expires: 8/8/25



Hannon Lerner, P.C.
184 Main Street
Lee, MA 01238
(413) 243-3311

ATTEST: Berkshire South Michelle Laramee-Jenny Register

End

Hello

I'm Samantha Kittle



Skills

Organizational Skills. Project Planning Skills. Time Management Skills. Problem Solving Skills. Multitasking Skills. Proficient in Microsoft 365. Proficient in Google Suite.

Experience

JUNE 2022 - PRESENT

New York Columbia County Office of Emergency Management

- Researched and updated information in a program system for the county Hazardous Materials Team.
- Modernized processes to improve the functioning of the office and deliverance of information to the public.
- Represented the office at various meetings and exercises.
- Learned how to be an evaluator for tabletop exercises involving multiple agencies and organizations.

JANUARY 2024 - APRIL 2024

Capstone Project, American Public University System - *Graduate Project*

- Created and designed functioning guidelines for a county Threat Assessment and Management Team.
- Participated in meetings to improve the guidelines based on the needs of the team.

NOVEMBER 2023 - DECEMBER 2023

Crisis Action Plan, American Public University System - *Graduate Project*

- Developed an inaugural threat assessment plan for a local not-for-profit organization to improve safety functions at their facilities.
- Coordinated with executive leadership to understand the culture of the organization in order to protect critical areas of concern.

AUGUST 2022 - NOVEMBER 2022

New York State Division of Homeland Security and Emergency Services, Office of Emergency Management - *Radiological Emergency Preparedness Intern*

- Maintained equipment through weekly checks.
- Surveyed and created a resource document of all nuclear power plant components across the United States.

- Briefed the team weekly on critical information involving New York State nuclear power plants.

Education

JANUARY 2023 - APRIL 2024

American Public University System – *Master of Arts, Emergency and Disaster Management*

Graduated with a 3.89 GPA. Achieved Dean's List every course session.

AUGUST 2020 - DECEMBER 2022

University at Albany – *Bachelor of Arts, Emergency Preparedness, Homeland Security, and Cybersecurity*

Graduated with a 3.83 GPA. Dual minor in history and international studies. Achieved Dean's List every semester. Transferred to UAlbany because of program diversification.

AUGUST 2019 - MAY 2020

University of New Hampshire – *Homeland Security*

Maintained a 3.8 GPA. Achieved Dean's List in both semesters.

Training

JULY 2022

New York Hope – *Selected Participant in Competitive Program*

- Emergency Preparedness training exercise weekend at the New York State Preparedness Training Center.
- Leadership experience, problem-solving skills, and team building.
- Hands-on experiences involving urban searches, rural searches, swift water rescue, emergency operation center training, and mass-casualty incident training.

Federal Emergency Management Agency (FEMA) Training Courses –

ICS, 20, 42, 100, 200, 201, 240, 242, 244, 317, 505, 520, 522, 700, 800, 906, 907, 2900

Other Trainings –

- Broader Ethical Considerations for Hazards and Disaster Researchers
- Excel Essential Office 365 and Microsoft 365
- Understanding Terrorism
- Disability Training
- Business Etiquette
- Disaster Recovery for Information Systems
- Information Security Basics

- Weapons of Mass Destruction
- Linked-In Essentials

References

David Harrison

Columbia County Office of Emergency Management Director

[REDACTED]

[REDACTED]

Robert Lopez

Columbia County 9-1-1 Director

[REDACTED]

[REDACTED]

Mark VanVorst

Columbia County Office of Emergency Management Deputy Director

[REDACTED]

[REDACTED]

Frank Wood

Hawkeye Resilience Owner

[REDACTED]

[REDACTED]

Christine Lemoine



Education

- Amherst Regional High School
- Massachusetts College of Liberal Arts (Bachelor of Arts: Interdisciplinary Studies - English/Communication and Biology)
- Eastern Gateway Community College (Associate of Science: Business Management)
- Eastern Gateway Community College (Associates of Art: Criminal Justice)

Work Experience

911 Dispatcher (Part-Time: 8/2014 – 1/2021; Full-Time 1/2021 to Present)

Williamstown, MA

- Serve as point of contact for all reported emergencies or general office business
- Answer phones and radios, to include emergency, 911, and business lines
- Coordinate responses by officers, EMS and Fire personnel
- Maintain accurate logs and documents, while working with confidential information
- Provide accurate information regarding legal and medical advice as required while assessing needs for further assistance
- Review 911 calls for Quality of Care
- Serve as administrative liaison for technical support and training coordination
- Assist with additional administrative tasks to support admin staff
 - Full Time Responsibilities:
- Train new staff in dispatch as Certified Training Officer, Serve as in-house trainer for MA911
- Gather crime statistics and compose Bi-Weekly reports, publish to social media and website
- Design, compose and maintain content for department website
- Manage department social media presence
- Track and coordinate trainings for department staff to fill continuing education requirements
- Serve as CJIS/NCIC Primary Representative
- Complete Call Assessment to determine quality of care and training needs

Franklin and Berkshire Medical Reserve Corp Volunteer Coordinator (2/2022 – Present) Franklin/Berkshire Counties, MA

- Coordinate volunteer opportunities for local volunteers in Berkshire and Franklin Counties with requesting agencies around public health and emergency preparedness
- Onboard new volunteers to include training, background checks and credentialing and ongoing communications
- Locate and coordinate training opportunities for volunteers in both units, including short and full day training sessions throughout the year
- Track and submit volunteer hours to national and local health department online profiles and report statistics to Administration for Strategic Preparedness and Response
- Maintain relationships in the community for the organization and with volunteers and various groups that may present a need for volunteers
- Monitor concerns and safety of volunteers on deployments and setup just in time training for any events needing additional training
- Communicate with over 700 volunteers regarding safety preparedness for personal and community needs
- Coordinate storage of medical, art, animal shelter, and promotional supplies

Communications Dispatcher (Full-Time: 6/2011 – 1/2021; Part-Time: 1/2021 To 7/2024)

MCLA, North Adams MA

- ◆ Monitor and respond to campus and local radio traffic
- ◆ Answer all incoming calls or walk-in traffic: providing information or referring and transferring as needed
- ◆ Maintain professionalism and confidentiality
- ◆ Maintain log of all MCLA campus police related activity
- ◆ Access and relay student and campus information as required
- ◆ Monitor campus video security systems
- ◆ Respond to all campus alarm systems, dispatching or referring as needed
- ◆ Prioritizing incoming emergency information and routine activity for appropriate response

Christine Lemoine

- ◆ Maintain log of keys and codes issued, verifying authorized access
- ◆ Coordinate communication with local emergency response, campus safety and service personnel as needed
- ◆ Complete training for all student staff for work in campus police dispatch
- ◆ Monitor and operate 2 fire alarm systems for the MCLA campus
- ◆ Manage daily operations of MCLA student shuttle service
- ◆ Serve professionally and knowledgeably as a phone operator for the school wide phone system
- ◆ Create and disseminate emergency notifications via text, voice, and email to the MCLA community as needed
- ◆ Notified student emergency contacts when necessary regarding student safety
- ◆ Create and track repair requests for safety hazards as reported to by police staff
- ◆ Operate and search CJIS/NCIC, local and MCLA databases as requested by officers
- ◆ Serve as MCLA CJIS/NCIC Technical Representative

Horse Show Secretary (2011 – Present)

Western MA + Eastern NY

- ◆ Provided preliminary organization for barns holding horse show type events including creation of event layout. affiliation paperwork, marketing through social media and email lists, creation of web hosting and online entry. Provide Day of Event services including complete setup of physical secretarial site, tracking of all competitors, tracking of class changes throughout the day, verification of affiliation rules being met, Paperwork processing, and payment collection. Provide Post Event services including point submission preparations, receipts for competitors, and post competition report creation.

Assistant Office Manager (8/2008 – 6/2011)

MCLA, North Adams MA

- ◆ Provided clerical support for the Central Housing Office, arrange key assignments for housing, answer and direct questions and concerns, respond to email and telephone correspondences on behalf of the department. Sort and distribute various forms and papers, schedule appointments for administrative staff, file and assist in tracking student discipline sanctions, serve in weekly administrative on-call rotation of professional staff for campus residence halls

Resident Advisor (1/2006 – 5/2008)

MCLA, North Adams MA

- ◆ Worked in both traditional and suite-style residence halls including a specialty floor
- ◆ Provided supervision for 18-34 students
- ◆ Build community within the floor and residence building
- ◆ Maintain order and enforcing policies
- ◆ Report maintenance concerns
- ◆ Serve as a liaison between housing and resident students
- ◆ Plan 10 community development activities per semester
- ◆ Act as a resource to students about the campus and local community
- ◆ Provide on-call/on-duty coverage once per week
- ◆ Mentor first year staff members
- ◆ Create monthly icebreakers and team builders
- ◆ Assist with building management
- ◆ Assist with training and management of the security desk

Angeli Franz

WORK EXPERIENCE

Nanny | Wellesley, MA | *July 2023 - Current*

- Provide individualized care for two children—one 7 year old, and one 9 year old with autism—addressing social, emotional, and developmental needs
- Collaborate closely with parents to implement behavioral strategies to improve social behavior
- Designated responsible adult present for in-home ABA Therapy for the child with autism

UMCCTS Clinical Research Intern | UMass Chan Medical School / UMass Memorial Medical Center – Worcester, MA | *May 2024 – August 2024*

- Received didactic education at UMass Chan Medical School from which I gained IRB familiarity and PHI privacy training
- Assisted in and shadowed clinical research for the Pediatrics Department at UMass Memorial Medical Center where I performed EPIC chart reviews and input PHI into secure RedCap databases
- Trained on screening and consenting participants to clinical trials

Server | J&M Diner - Framingham, MA | *May 2022 - Current*

- Demonstrate strong multitasking skills by managing multiple tables simultaneously without compromising service quality
- Build strong connections with other staff to encourage collaboration and ensure efficiency
- Cultivate warm relationships with regular customers

Public Health Equity Research Scholar | University of Massachusetts Amherst – Amherst, MA | *May 2022 – July 2022*

- Participated in the qualitative research aspect of the mixed-method RxHL study: community-responsive research to explore structural and cultural factors in medication adherence
- Transcribed audio-recorded interviews of patients from medically underserved communities living with chronic illness at a federally funded community health center in Springfield, MA
- Coded qualitative field notes from transcribed interviews to identify potential barriers to medication adherence alongside the RxHL intern team and research staff
- Contributed to the development of actionable findings and recommendations to improve adherence such as addressing cost-barriers, transportation barriers, and cultural barriers at the health center

EDUCATION

University of Massachusetts Amherst | Amherst, MA | *Expected in May 2025*

Bachelor of Science: School of Public Health and Health Sciences

- Public Health major with a concentration in Global Health on the Pre-PA track
- GPA: 3.79 / 4.0, dean's list for six semesters
- Study Abroad: Costa Rica, Public Health
- Women's Club Soccer Member
- Pre-Physician Assistant Club Member

Certifications:

- CITI Program Training Courses:
 - Human Subjects Research: Group 1 Biomedical Research Investigators and Key Personnel
 - Human Research: Group 2 Social and Behavioral Research Investigators and Key Personnel
 - Conflict of Interest (COI)
 - GCP for Clinical Trials with Investigational Drugs and Biologics (ICH Focus)
- IATA Shipping Training
- OnCore Training
- EReg Training (Signer)



Commonwealth of Massachusetts
Executive Office of Economic Development

MA Vacant Storefront Program Guidance Webinar

Community One Stop for Growth





MA Vacant Storefront Program Overview

Description:

The Massachusetts Vacant Storefront Program was created to aid municipalities in their efforts to revitalize their downtown and commercial areas by encouraging the occupancy of long-term vacant storefronts. The program allows municipalities to use refundable tax credits as a tool to attract businesses to prominent vacancies within a community’s downtown and/or commercial area.

Eligibility:

All Massachusetts municipalities are eligible to submit an application to compete for access to MA Vacant Storefront tax credits.

The MA Vacant Storefront Program is administered through the **Community One Stop for Growth** - a single application portal and collaborative review process designed to streamline the experience for the applicant and better coordinate economic development programs and staff on engagement and grant making.





What's New This Year? New Program

- The Vacant Storefront Program is now administered as a competitive refundable tax credit incentive program through the Community One Stop for Growth.
- For the purpose of the program, a storefront is now considered vacant if it has been unoccupied for at least six (6) months.
- Municipalities may now apply for access to up to \$50,000 worth of refundable tax credits to be used to incentivize businesses to occupy vacant storefronts within the community's downtown and/or commercial areas.
- Communities are no longer required to establish a Vacant Storefront District in order to participate in the program. However, the program will take prior Vacant Storefront District adoption into consideration when evaluating applications.
- If awarded, a municipality will maintain access to the credits through the final quarterly meeting of the EACC in 2026.



Where Does MA Vacant Storefront Program Fit in the One Stop?

Preparing for Growth			Catalyzing Specific Projects	
<p>Community Activation & Placemaking</p> <p>Technical Assistance for Downtowns</p> <ul style="list-style-type: none"> • Downtown Design Consultant Services • Downtown Mobility/Parking Consultant Services • Downtown Wayfinding/Branding Consultant Services • Economics of Downtown Consultant Services • Pedestrian Orientation/Placemaking Consultant Services • Small Business Support/E-commerce Consultant Services • Forming a Downtown Management District: Feasibility • Forming a Downtown Management District: Implementation <p>Incentivize Business in Vacant Downtown Storefronts</p> <ul style="list-style-type: none"> • Access Tax Credits for Business to Occupy Vacant Storefronts 	<p>Planning & Zoning</p> <p>Community Plan</p> <ul style="list-style-type: none"> • Master Plan • Neighborhood/Downtown/Corridor Plan • Urban Renewal Plan • Housing Production Plan • Housing Plan Alignment with State Housing Plan/Regional Goals • Regional Plan • Other Community Plan <p>Zoning Revision</p> <ul style="list-style-type: none"> • Zoning Revision to Comply with Section 3A of MGL c.40A • Zoning Revision related to Accessory Dwelling Unit to comply with revisions to MGL c40A section 3 • Zoning Revision to adopt pro-housing revisions that qualify for simple majority voting threshold • Comprehensive Zoning Review & Revision • Other Zoning Revision <p>Planning for Housing</p> <ul style="list-style-type: none"> • Housing Feasibility Plan • Housing Site Master Plan • Housing Infrastructure Plan • Housing Site Design Plan <p>District Redevelopment Technical Assistance</p> <ul style="list-style-type: none"> • Planning for Growth in a Commercial/Industrial District 	<p>Site Preparation</p> <p>Site Improvements to Unlock Development</p> <ul style="list-style-type: none"> • Site Readiness Pre-Construction • Site Readiness Construction <p>Municipal Surplus Property Disposition</p> <ul style="list-style-type: none"> • Municipal Surplus Property <p>Brownfield Site Clean Up</p> <ul style="list-style-type: none"> • Brownfields Site Assessment • Brownfields Remediation • Disposition Study 	<p>Building</p> <p>Underutilized Property Rehabilitation</p> <ul style="list-style-type: none"> • Underutilized Property Pre-Construction • Underutilized Property Construction <p>Housing Production</p> <ul style="list-style-type: none"> • Support Housing Production • Support Housing Rehabilitation • Support Housing Preservation <p>Revitalize Commercial Space in a TDI District</p> <ul style="list-style-type: none"> • Activation of Underperforming Commercial Space 	<p>Infrastructure</p> <p>Infrastructure to Support Residential Growth</p> <ul style="list-style-type: none"> • Pre-construction - Design / Engineering Documents Only • Construction <p>Public Infrastructure to Support Mixed-Use Development</p> <ul style="list-style-type: none"> • Pre-construction - Design / Engineering Documents Only • Construction <p>Public Infrastructure to Support Commercial/Industrial Development</p> <ul style="list-style-type: none"> • Pre-construction - Design / Engineering Documents Only • Construction <p>Small Town Road Improvements to Enhance Public Safety (STRAP)</p> <ul style="list-style-type: none"> • Construction of Road Improvements to Enhance Public Safety



Important Project Parameters

Project Budget	<ul style="list-style-type: none">• Municipalities may now apply for up to \$50,000 worth of dedicated refundable tax credits.• Description of the amount of funds that will be dedicated to supporting this program (optional).
Project Timeline Requirements	<ul style="list-style-type: none">• Approval through the One Stop allows a municipality to maintain access to the credits through the final quarterly meeting of the EACC in 2026, following which access to the tax credits will expire.
Eligible Use of Funds	<ul style="list-style-type: none">• A recipient of tax credits must submit personal income tax or business excise tax to the Massachusetts Department of Revenue (DOR).
Ineligible Activities	<ul style="list-style-type: none">• The tax credits can only used as granted by the EACC for the purposes of a credit to a personal income tax or business excise tax to the qualifying business.



How To Be Competitive

What is the key information that program reviewers take into consideration?

- The municipality's need for the tax credits as a tool to incentivize businesses to occupy vacant storefronts within the downtown/commercial area, including past challenges filling vacancies
- Reasonable tax credit request based on the size of the downtown/commercial area, number of vacancies, and the overall needs of the community
- Intended outcomes and impact on the downtown/commercial area
- Ability to execute the project
- Ability to use the tax credits within calendar year 2026
- Commitment of matching funds and/or in-kind contributions, if provided

What attachments should applicants be prepared to include in their applications?

- List of potential storefronts that have been vacant for 6 months or longer.
- Map of downtown/commercial area that storefronts are located.



Proposed 2026 Program Timeline

June 2025	One Stop Deadline: Municipalities submit a One Stop application to compete for 2026 Vacant Storefront eligibility.
June 2025 – August 2025	Application Review: EOED staff reviews One Stop applications and recommend the best applications for award.
September 2025	EACC One Stop Application Approval: EOED presents the recommended municipal Vacant Storefront awards to the EACC for approval during the September board meeting.
October 2025	One Stop Award Notification: Municipalities granted access to the tax credits will receive an award letter indicating the quantity of tax credits available to the community in 2026.
November 2025 – December 2026	Municipalities Submit Tax Credit Applications for EACC Approval: Upon receipt of award notification, municipalities can begin to submit Tax Credit Applications on behalf of businesses committing to occupy vacant storefronts. Tax Credit Applications can be submitted until the December EACC Board Meeting. The EACC will consider approval of tax credit applications at quarterly board meetings. Any 2026 Vacant Storefront tax credits not awarded by the end of the December board meeting will expire.
CY 2027	Business Claims Tax Credits: Business claims tax credit when filing tax return.
2026-2027	Ongoing Reporting: The program will monitor the impacts of the tax credits through ongoing reporting.



FY26 Round Timeline

Jan.

- **Full Application and Expression of Interest Open (January)** – The Full Application is the official form for submitting all funding requests. Applicants may now begin to work on applications in the IGX system, however applications will only be accepted during the submission period.
- **One Stop Guidance Phase (January – April)** – A series of webinars will be hosted by both the One Stop Team and staff from each program within the One Stop. In addition, office hours will be hosted to answer applicant questions. Visit www.mass.gov/onestop for the full schedule of webinars and office hours.
- **Full Application Submission Period (May-June)** – Applicants may submit their Full Application(s) beginning May 5, 2025. All applications must be submitted by the **Full Application deadline of 11:59 p.m. on Wednesday, June 4.**
- **Review and Evaluation (July – September)** – All complete and eligible Full Applications submitted by the deadline will be reviewed and evaluated by the corresponding program managers at each state agency. The One Stop team will also conduct joint application reviews across agencies. Based on the program’s criteria, each program will prepare its list of applications recommended for funding, to be further reviewed and approved by agency and Secretariat leadership.
- **Notification of Grant Decisions (October)** – Once final recommendations have been approved, applicants will be notified of grant decisions in writing, and announcement events will be scheduled.

Oct.



Opportunities for Guidance

Visit www.mass.gov/onestop for more information on:

- **Expression of Interest**
 - Complete an Expression of Interest form to see if your project(s) is eligible for funding through the One Stop and get tips for preparing your application
- **One Stop and Program Webinars**
 - Recordings of all One Stop webinars are now available on the One Stop website
- **Office Hours**
 - **One Stop General Guidance Office Hours** – One Stop staff will hold office hours to discuss general One Stop process and technology questions
 - **Program Office Hours** – Staff from each program will hold an office hour to answer applicant questions related to the program
 - **MA Vacant Storefront Program's office hours will be held on April 7, 2025, at 12:00 pm**
 - **Contact staff- Emmy Hahn, emmy.hahn@mass.gov**



IDENTIFIED ISSUES FOR RURAL/SMALL COMMUNITIES

EOED wants this tool to be useful for all types of communities in the Commonwealth. In discussions it was identified that there were 2 areas that might prohibit rural and small communities from applying for MVSP tax credits.

- Match
- Capacity to implement the program



MATCH

- Description of the amount of funds that will be dedicated to supporting this project. A project match is not required but is encouraged. Potential sources of match may include, but are not limited to, the following:
 - Cash match from municipality (i.e., general funds, funds from another municipal funding source)
 - Contributions from building owners (i.e., rent relief, assistance with buildout)
 - CDBG funded /other funding sources (i.e., loan programs, business assistance programs, sign and façade grant)
 - Permit/licensing fees dismissed (include documentation)
 - Staff time
 - **Volunteer time (calculated using a rate of \$33.49 per hour)**



RURAL IMPLEMENTAION –CAPACITY ISSUE

The other issue that might prohibit a rural or smaller community from utilizing the MVSP is the lack of capacity to implement.

- Completing the Community One-Stop application- specific to the MVSP section
- Implementing the project if awarded-
 - ❖ Connections need to be made with building owners with 6 month or more vacant storefronts and educating them on the availability of tax credits.
 - ❖ Work with municipality to get the word out for potential businesses that would use the tax credits in the designated storefronts.

One idea to address both the application submittal and implementation of the program was the use of DLTA funds. The RPA would both write the grant and in the narrative, identify methods for implementation.

We are hoping to get your thoughts on this concept.

Notice to Reviewers – Proposed Open Space Act Regulations (310 CMR 52)

Background

In 1972, Massachusetts voters approved the adoption of [Article 97 of the Amendments of the Constitution of the Commonwealth](#), which states that the people shall have the right to the “natural, scenic, historic and esthetic qualities of their environment” and that public lands or interests in land acquired for the purposes of protecting the interests described in Article 97 can not be “used for other purposes or otherwise disposed of” without a two-thirds roll call vote of the legislature.

In 1998, the Executive Office of Energy and Environmental Affairs (EEA) recognized a need for a written policy to ensure that proposals to dispose or change the use of Article 97 land were appropriately considered and did not result in a reduction of Article 97 land over time. To that end, EEA issued its Article 97 Land Disposition Policy, commonly referred to today as the “No Net Loss” Policy. Among other things, the Policy provides that EEA will not undertake or support Article 97 legislation unless the responsible agency or municipality has avoided and minimized the disposition or change in use of Article 97 land and replacement land will be provided. As a result of this policy, Article 97 legislation has authorized a net increase of 486 acres of replacement land since 2015.

While the EEA Policy has been successful in preserving Article 97 land in the Commonwealth, the legislature recognized a need to formalize the Article 97 legislative process. To that end, in 2022 it enacted [An Act Preserving Open Space in the Commonwealth](#) (the “Open Space Act”, sometimes referred to as the “Public Lands Preservation Act” or “PLPA”), which is codified at Section 5A of Chapter 3 of the Massachusetts General Laws (M.G.L. c. 3, § 5A). The Open Space Act codified procedures for advancing Article 97 legislation, including provisions to ensure public notification, consideration of alternatives to the Article 97 action, and the provision of replacement land. It also directed the Secretary of Energy and Environmental Affairs to take specific actions in response to Article 97 proposals and to promulgate regulations in order to implement the provisions of the law.

EEA has now completed its draft regulations to implement the Open Space Act and is seeking comment on them, as described below. **The regulations do not amend Article 97**, which is a constitutional amendment and cannot be altered without a constitutional process. Rather, **EEA is required by the Open Space Act to issue these regulations**. The regulations interpret the Open Space Act to clarify how public entities can comply with the Act’s procedures and requirements, including those requiring public notice and engagement. The regulations also describe how EEA will carry out actions required by the Act, including waiver or modification of replacement land requirements, issuing findings regarding funding in lieu of replacement land and issuing natural resource value determinations. EEA’s actions are required by the Act to support the legislature in its consideration of Article 97 legislation. **The legislature has the sole responsibility for approving Article 97 legislation by way of a two-thirds majority roll call vote**. These regulations do not change this responsibility.

Public Comment

EEA posted the draft Open Space Act regulations for public comment on November 18, 2024 and held a public hearing on December 17, 2024. In response to public comments received seeking additional time to review the draft, EEA extended the comment period and held a second public hearing on January 16, 2025. This public comment period closed on January 22, 2025.

In its initial review of public comments, EEA recognized that a number of commenters indicated their comments were hampered by the length of the public comment period, timing of the public hearings, or lack of public awareness. EEA values public input as a critical component of the process of promulgating the Open Space Act regulations and wants to ensure ample opportunity for the public to provide feedback. To that end, EEA is reopening the public comment period and will hold a third public hearing on March 26, 2025.

EEA's initial review of public comments also identified certain issues on which additional public comment would be beneficial. EEA is interested in hearing more about these topics, in particular:

- (1) Notification: EEA is interested in specific feedback on where/how Public Entities must notify the public of a proposed Article 97 Action.
- (2) Natural Resource Value: EEA has designed an [online tool](#) to assist (supplemented by other information provided by the proponent, the public and gathered through field observation) in determining Natural Resource Value consistent with Section 52.08 of the draft regulations. EEA is looking for specific feedback on this tool and other information that could assist in the evaluation of Natural Resource Value for both EEA and the public.

940 CMR: OFFICE OF THE ATTORNEY GENERAL

940 CMR 29.00: OPEN MEETINGS

Section

29.01: Purpose, Scope and Other General Provisions

29.02: Definitions

29.03: Notice Posting Requirements

29.04: Certification

29.05: Complaints

29.06: Investigation

29.07: Resolution

29.08: Advisory Opinions

29.09: Other Enforcement Actions

29.10: Remote Participation

29.11: Meeting Minutes

29.01: Purpose, Scope and Other General Provisions

29.10: Remote Participation

(1) Preamble. Remote participation may be permitted subject to the following procedures and restrictions. However, the Attorney General strongly encourages members of public bodies to physically attend meetings whenever possible. By promulgating 940 CMR 29.10, the Attorney General hopes to promote greater participation in government. Members of public bodies have a responsibility to ensure that remote participation in meetings is not used in a way that would defeat the purposes of the M.G.L. c. 30A, §§ 18 through 25, namely promoting transparency with regard to deliberations and decisions on which public policy is based.

(2) Adoption of Remote Participation. Remote participation in meetings of public bodies is not permitted unless the practice has been adopted as follows:

(a) Local Public Bodies. The Chief Executive Officer, as defined in M.G.L. c. 4, § 7, must authorize or, by a simple majority, vote to allow remote participation in accordance with the requirements of 940 CMR 29.10, with that authorization or vote applying to all subsequent meetings of all local public bodies in that municipality.

(b) Regional or District Public Bodies. The regional or district public body must, by a simple majority, vote to allow remote participation in accordance with the requirements of 940 CMR 29.10, with that vote applying to all subsequent meetings of that public body and its committees.

(c) Regional School Districts. The regional school district committee must, by a simple majority, vote to allow remote participation in accordance with the requirements of 940 CMR 29.10, with that vote applying to all subsequent meetings of that public body and its committees.

(d) County Public Bodies. The county commissioners must, by a simple majority, vote to allow remote participation in accordance with the requirements of 940 CMR 29.10, with that vote applying to all subsequent meetings of all county public bodies in that county.

(e) State Public Bodies. The state public body must, by a simple majority, vote to allow remote participation in accordance with the requirements of 940 CMR 29.10, with that vote applying to all subsequent meetings of that public body and its committees.

(f) Retirement Boards. A retirement board created pursuant to M.G.L. c. 32, § 20 or M.G.L. c. 34B, § 19 must, by a simple majority, vote to allow remote participation in accordance with the requirements of 940 CMR 29.10, with that vote applying to all subsequent meetings of that public body and its committees.

(g) Local Commissions on Disability. In accordance with M.G.L. c. 30A, § 20(e), a local commission on disability may by majority vote of the commissioners at a regular meeting authorize remote participation applicable to a specific meeting or generally to all of the commission's meetings. If a local commission on disability is authorized to utilize remote participation, a physical quorum of that commission's members shall not be required to be present at the meeting location; provided, however, that the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location. The commission shall comply with all other requirements of law.

(3) Revocation of Remote Participation. Any person or entity with the authority to adopt remote participation pursuant to 940 CMR 29.10(2) may revoke that adoption in the same manner.

(4) Minimum Requirements for Remote Participation.

(a) Members of a public body who participate remotely and all persons present at the meeting location shall be clearly audible to each other, as required by M.G.L. c. 30A, § 20(d);

(b) A quorum of the body, including the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location, as required by M.G.L. c. 30A, § 20(d);

(c) Members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of M.G.L. c. 39, § 23D.

(5) Permissible Reason for Remote Participation. If remote participation has been adopted in accordance with 940 CMR 29.10(2), a member of a public body shall be permitted to participate remotely in a meeting, in accordance with the procedures described in 940 CMR 29.10(7), only if physical attendance would be unreasonably difficult.

(6) Technology.

(a) The following media are acceptable methods for remote participation. Remote participation by any other means is not permitted. Accommodations shall be made for any public body member who requires TTY service, video relay service, or other form of adaptive telecommunications.

i. telephone, internet, or satellite enabled audio or video conferencing;

ii. any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another.

(b) When video technology is in use, the remote participant shall be clearly visible to all persons present in the meeting location.

(c) The public body shall determine which of the acceptable methods may be used by its members.

(d) The chair or, in the chair's absence, the person chairing the meeting, may decide how to address technical difficulties that arise as a result of utilizing remote participation, but is encouraged, wherever possible, to suspend discussion while reasonable efforts are made to correct any problem that interferes with a remote participant's ability to hear or be heard clearly by all persons present at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred shall be noted in the meeting minutes.

(e) The amount and source of payment for any costs associated with remote participation shall be determined by the applicable adopting entity identified in 940 CMR 29.10(2).

(7) Procedures for Remote Participation.

(a) Any member of a public body who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the chair or, in the chair's absence, the person chairing the meeting, of his or her desire to do so and the reason for and facts supporting his or her request.

(b) At the start of the meeting, the chair shall announce the name of any member who will be participating remotely. This information shall also be recorded in the meeting minutes.

(c) All votes taken during any meeting in which a member participates remotely shall be by roll call vote.

(d) A member participating remotely may participate in an executive session, but shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by a simple majority vote of the public body.

(e) When feasible, the chair or, in the chair's absence, the person chairing the meeting, shall distribute to remote participants, in advance of the meeting, copies of any documents or exhibits that he or she reasonably anticipates will be used during the meeting. If used during the meeting, such documents shall be part of the official record of the meeting, and shall be listed in the meeting minutes and retained in accordance with M.G.L. c. 30A, § 22.

(8) Further Restriction by Adopting Authority. 940 CMR 29.10 does not prohibit any person or entity with the authority to adopt remote participation pursuant to 940 CMR 29.10(2) from enacting policies, laws, rules or regulations that prohibit or further restrict the use of remote participation by public bodies within that person or entity's jurisdiction, provided those policies, laws, rules or regulations do not violate state or federal law.

(9) Remedy for Violation. If the Attorney General determines, after investigation, that 940 CMR 29.10 has been violated, the Attorney General may resolve the investigation by ordering the public body to temporarily or permanently discontinue its use of remote participation.



BRPC

Berkshire Regional Planning Commission

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

MEMORANDUM

TO: Delegates and Alternates,
Berkshire Regional Planning Commission

FROM: Thomas Matuszko, Executive Director

DATE: February 28, 2025

RE: January 2025 Assistance Activities

This report highlights technical assistance provided by BRPC staff for January 2025. This assistance was in response to requests identified in the Board/Organization column. If available and permitted by the funding agencies, responses were supported by local assessment or grant funds. This report aims to inform municipal officials about how local assessment funds are used and indicate the types of local and technical assistance BRPC can provide. If assistance may be useful to your community, please feel free to contact us for details.

Town/City/State	Municipal Technical Assistance	Board/Organization
Dalton	Protected Land Summary	Green Committee
Egremont	Jenssen Road Residential Neighborhood Project	Planning Board
Florida	Pavement Management	Town Administrator
North Adams	Reconnecting Communities	Mayor's Office
Pittsfield	Reconnecting Communities	Public Utilities Commissioner