



Franklin Regional Council of Governments

COUNCIL — *MINUTES*

Date & Time:	Thursday, November 3, 2016 / 5:30 – 7:00 p.m.
Location:	William B. Allen Room, Olver Transit Center, 12 Olive Street, Greenfield
Facilitator:	John O’ Rourke, Elected Chair

REPRESENTATIVE ATTENDEES

Stanley Garland, Bernardston; **Dena Wilmore**, Buckland; **Toby Gould**, Charlemont; **Kevin Fox**, Colrain; **John O’Rourke**, Conway; **Bryan Smith** (6:25) Erving; **Greg Snedeker**, Gill; **William Martin**, Greenfield; **Hussain Hamdan**, Hawley; **Brian DeVriese**, Heath; **Gordon Fretwell**, Leverett; **Brian Noble**, Northfield; **Marilyn Wilson**, Rowe; **Andrew Baker**, Shelburne; **Ellen McKay**, Shutesbury; **Tom Fydenkevez**, Sunderland; **Dawn Magi**, Warwick; **Daniel Keller**, Wendell; **Brian Domina**, Whately; **Bill Perlman**, Regional; **John Paciorek**, Regional.

STAFF & VISITORS: **Linda Dunlavy**, Executive Director; **Rebekah Boyd**, Admin Services Coordinator; **Bob Dean**, Dir. of Reg. Services; **Phoebe Walker**, Dir. of Community Services; **Scott McPherson**, GCTV.

REGRETS: **Sam Lovejoy**, Reg. Plan. Board **ABSENT:** **Kaycee Warren**, Ashfield; **Carolyn Ness**, Deerfield; **Michele Giarusso**, Leyden; **David Nash**, Monroe; **Richard Kuklewicz**, Montague; **Wayne Hachey**, New Salem; **Diana Schindler**, Orange;

1. Roll Call, & Adopt 7/21/16 minutes	John O’Rourke — 10 Mins
--	-------------------------

Before the meeting began, Chair John O’Rourke feted Regionally Elected Rep. John Paciorek, stepping down next month, for his nearly 2 decades of valued service on the FRCOG Council and committees. John P. praised the dedication of staff and representatives. Members offered him their gratitude and shared cake and cider to celebrate.

The Chair convened the meeting at 5:36 p.m. Roll call was taken and a general and financial quorum was met with 20 members and 67.94 % of the weighted vote of the total membership attending. (Brian Smith of Erving arrived at 6:25 p.m. after roll call, but in time to vote on financial matters.)

B. Perlman moved adoption of the 7/21/16 minutes. H. Hamdan seconded. All in favor.

2. Council Update	John O’Rourke — 5 Mins
--------------------------	------------------------

John announced the Council’s large meeting room was dedicated recently to William B. Allen II, who served as County Engineer and Greenfield public works superintendent, and held a longstanding seat at the table of the Franklin Regional Planning Board and other FRCOG committees.

Next FRCOG Council Meeting dates: Jan 26 (meeting to consider and vote the FY18 budget) & April 20.

New parking information: Extra spaces in the Registry of Deeds lot were recently leased to FRCOG staff because the FRTA had earlier announced that spaces adjacent to our building would be free for guest

use for 30 minutes then subject to metering. Since then, the FRTA has decided metering will not occur immediately, so all spaces are limited to 30 minutes only. It's unclear how this will play out and where daytime meeting attendees and FRCOG customers will park until the Greenfield parking garage is built. Currently all spaces in the FRTA lot are free and available after 4 p.m., when the FRTA office closes.

3. Executive Committee Update

Bill Perlman — 5 Mins

Bill reported that the committee took in a presentation by FRCOG staff on the marijuana legalization ballot question, discussed it and other ballot questions, and decided it was not the committee's role to take a stand on it or any ballot questions as they represent many people with vastly differing opinions.

The issue of mold-growth in the Franklin County Emergency Communication System (FCECS) equipment building in the Erving tower site continues. The committee is not sure if FCECS can mitigate the mold problem and if mitigation is even needed. Placement of all of the equipment in an outdoor box may be possible and is a much less expensive solution.

The board accepted the Trudell Bartlett Trust funds established for the Franklin County Commission in 1995 for \$5,000 (now \$6119.34) and discussed possible programmatic and charitable uses.

The board adopted a letter to Gov. Baker who opposed the expenditure of the 2.8 million in DLTA (District Local Technical Assistance) funds. Bill said these funds are extremely important to local towns and the Council for regionalization projects, and hopes to convince the governor to release them.

4. Executive Director Update

Linda Dunlavy — 10 Mins

Linda offered highlights of the Council on FRCOG initiatives outlined in the Updates handout:

- Ann Hamilton is retiring as director of the Chamber of Commerce and as part of the transition; FRCOG is helping them to survey Franklin County residents on their vision for the Chamber's future. The link to the survey: <https://www.surveymonkey.com/r/FCChamberSurvey>.
- Community Compact FY17 guidelines limit application for Best Practices projects to towns that have not yet applied. This includes Bernardston, Gill, Monroe, Northfield, Shutesbury & Warwick.
- Cooperative Purchasing Program. Road salt bids came in with a 6-8\$ per ton price reduction.
- Rail Expansion: Linda and Reps. Neale and McGovern discussed hopes for increased passenger rail service by 2018 or 2019. Four daily round trips between Greenfield and Springfield — aligned with commuter schedules — and a daily round trip to NYC are the goals.
- Linda has been appointed FC rep to the MA Rural Policy Commission and sits on the Economic Development and Demographics and Workforce committees. The Commission is creating maps that highlight the differences between "rural" (> 500 people per square mile) and "really rural," in an effort to analyze these differences and offer recommendations to the state administration. She hopes to offer a presentation of their work at a future Council meeting.

Linda told members that July 1 will mark the FRCOG's 20th anniversary. Staff may plan a celebratory event and will be updating the Council and municipalities as plans evolve.

5. Personnel Committee Update

Personnel Committee — 20 Mins

Gordon Fretwell reminded members that five policies — *Retiree Health Insurance, Domestic Violence Leave, Access and Use of Telecommunications System, Social Networking Policy, and Mobile Devices*

Provided— were presented for First Reading in July. No changes have been made since then (see Personnel Policy handout). No discussion among members regarding the policy second reading.

B. Noble moved Personnel Policy adoption. B. Perlman seconded. Motion passed unanimously.

6. Franklin Regional Planning Board (FRPB) Update : Potential funding request for consultant study related to FERC relicensing of CT River hydroelectric facilities Linda Dunlavy — 10 Mins

The owner of the Northfield Mountain pumped storage facility and Turners Falls dam — FirstLight Power Resources — is relicensing, and recently released the report of their Federal Energy Regulatory Commission (FERC) required erosion and streambank stability study. Their consultant determined that rapid release of water to create electricity is not the cause of erosion. They concluded that less than 4 percent of the erosion is caused by hydroelectric activity; naming boat traffic, cows, and regular flow as the causes. The Connecticut River Watershed Council (CRWC) has since hired Princeton Hydro and will comment to the FERC before Dec 14. FRCOG and CRWC want further analysis in hopes of influencing both FERC and the state DEP to mandate erosion control. The FRPB made FRCOG's Fin Com aware of the possible need for funding (between \$10,000 and \$15,000) for consultants to review the studies. They hope this will ensure that the new 30-50 year FERC license safeguards the environment and protects cultural resources and recreational amenities for current and future Franklin County residents.

G. Snedeker accounted his observations of the river's flow and daily water level changes and expressed skepticism regarding the outcome of FirstLight's study, particularly with the amount of unnatural activity generated by the hydroelectric. He suggested that a 30- to 50- year contract is too long, given rapid technological changes. A. Baker agreed, noting the frequent turnover of ownership of the region's hydropower facilities. Linda reported that when FirstLight was licensed, decades ago, consultant analysis determined that the cause of erosion could not be pinned down. However, FERC ruled that FirstLight had to work with the Conn. River Streambank Erosion Committee to mitigate river erosion. She hopes that further analyses will result in continued efforts by FirstLight to mitigate erosion

H. Hamdan said he hoped FRCOG would not discourage hydroelectric power, as it is a renewable source of energy. Linda replied that we are not anti-hydropower in any shape or form; we just want to be good stewards to the river.

7. Finance Committee Update John O' Rourke — 10 Mins

Accounting Software. John reminded members that the FRCOG Finance department and Town Accounting Program staff soon will no longer be able to use the current accounting software. Staff has seen demonstrations of three software products and will have more info about cost in 2017.

FY16 OPEB. The FY16 Pooled Benefit budget had a line for state retirement assessment with a condition that if not needed, the funds would transfer instead to the OPEB Trust fund. Staff identified in late June that the benefit budget would not have sufficient funds to cover the entire OPEB obligation. The Fin Com could have addressed a budget amendment but scheduling conflicts kept them from convening a meeting before the year had officially closed. The Fin Com approved a recommendation to transfer the budgeted \$35,557 assessment at their September meeting.

J. O'Rourke moved that the Council endorses the recommendation of the Finance Committee and allocates \$35,557 to the OPEB Trust fund from the Unassigned Fund Balance. J. Paciorek seconded the motion, which passed unanimously.

Grant Balance. All but \$1,039 was used of a health-related grant FRCOG received last year. The grant funder would neither extend the grant nor take back the surplus, so the balance closed as an Unassigned Fund Balance. FRCOG bylaws state that grants closing with more than 1,000 must be discussed by the Council and expenditure recommended. At its September meeting, the Fin Com unanimously approved use of the balance for a project or projects that increase health activities or outcomes in towns or parts of the county where needed.

J. O'Rourke moved that the Council endorse the recommendation of the Finance Committee and use \$1,039 for a health activity project funded from the Unassigned Fund Balance. H. Hamdan seconded the motion. Motion passed unanimously.

A. Baker asked if any a meaningful project or mini-grant distribution might come of such a small sum. Gordon explained that he tweaked the suggested motion (see updates) so that the FRCOG can have flexibility and have a project that might cost more than the \$1, 039. P. Walker said awarding mini-grants was the original idea, explaining that the FRCOG's Mass in Motion steering committee, which oversees healthy living efforts, has identified agencies (Council on Aging, libraries , and so on) looking for small sums of money to use for one-time, small-scale community events or purchases.

Budget Development Workbook

John and Linda walked the Council through the workbook. Highlights of the pages include:

Page 1. Budget Dev Schedule

Page 2. Surplus of 159,644 is no longer accurate, as Council has just put \$35,557 into the OPEB Trust.

Page 4. In FY16 oversaw \$6.2 million in funds across 12 different programs and multiple projects. Because of new grants, we've increased staffing to 48 staff (FTE and PT). More than 52% of them have been here longer than 8 years and more 25% longer than 15 years. Longevity provides institutional memory and knowledge of all of our towns.

Page 5. Have a 1.6 million OPEB liability, but doing well. Put \$565,000 + 35, 557 this eve into Trust.

Page 6. To understand indirect costs, imagine every staff walking around with a bubble of costs.

Planning indirect rate is 118% and non-planning 100%. The rate changes annually and is applied against direct wages only. The rate is audited and approved by MassDOT.

Page 8. The regional assessments that towns pay are only 7% of FRCOG funding.

Page 10. Indirect goes into accrued benefit (holding) pool that pays for vacation, health, and OPEB.

Page 12. Statutory budget. Linda explained that recently employees transferred to State Retirement System (MSRS) thus eliminating Franklin Regional Retirement Unfunded Liability that was a statutory assessment. The caveat, however, is that when FRCOG transferred to MSRS, the current legislation prevents them from assessing us. Most other members of the state retirement system do pay an annual contribution towards retirement of current employees. MSSR wants us to pay it too, but it requires legislation. Gov. Baker formed a committee to study the issue 6-8 months ago, but they haven't yet met. Staff builds the FRCOG budget conservatively assuming legislation will pass and we will need to pay into retirement system. Council voted last year to automatically put that money into OPEB if not needed for assessment to MSRS. Fin Com may want to do the same next year.

Page 13 Expansions of services: Cooperative Purchasing Program serves 50 towns in 5 counties; Cooperative Public Health Service (CPHS) serves 11 towns in FC; Town Accounting programs serves 11 towns in FC, 1 in HC; Cooperative Inspection program (FCCIP) serves 16 towns. The purchasing program nearly doubled the amount of highway products and services purchased on behalf of communities between FY11 and FY16. CPHS flu vaccine program is now a self-funded program.

Page 16. Looking for new accounting software not just for FRCOG but also for town accounting towns.

Page 17. FCCIP had a fabulously good year ending with a \$46,000 surplus. FY17 is looking good as well. We've hired a new building inspector whose hours will increase as our inspector heads into retirement.

Page 20. "Brand new" Franklin County Emergency Communication System (FCECS) funded with \$8 million in homeland security funds is becoming obsolete. It's time to think about replacement as our current level of investments will not replace it. Staff will be working with the FCECS and Fin Com and will keep Council engaged.

Page 22. Listing of all FY16 grants. The Federal Government is the originating source for 81% of FRCOG grants received. This concerns staff members as they want to have diverse grant origins.

D. Wilmore asked if possible new retirement legislation will require a clawback of back assessments? Linda said the MSRS director recognizes their 45-year mistake, and has no intention of going backwards, only forward. Our expectation is if legislation passes it will go into effect the next July 1.

Members discussed problems related to the aging emergency communication system; including its erratic reliability, particularly problematic in our hilly topography, and the unknown requirements of First Net, the federal system.

D. Wilmore suggested staff add a total revenue summary to the budget workbook. She also said that when presenting to the towns it would be good to know the base increase to payroll to understand how much is related to additional grants and how much is an annual increase to salary.

8. Special Presentation and Discussion –

Highlights of Municipal Modernization legislation

Bob Dean & Phoebe Walker — 20 Mins

See PowerPoint handout.

9. Business Not Reasonably Anticipated 48 Hours in Advance

H. Hamdan moved meeting adjournment. M. Wilson seconded. Meeting adjourned at 7:03 p.m.

Documents Distributed:

- Agenda
- Draft Minutes of April 21, 2016
- October Updates of FRCOG Initiatives and Projects
- Personnel Policy Second Council Reading
- FRCOG FY18 Budget Development Workbook
- Council Informational Packet — Member Roles and Responsibilities
- *An Act to Modernize Municipal Finance and Government*
- *CPHS ServSafe, Allergen & Choke Saver Certification Flyer*
- *Innovations for Rural Living Flyer*
- *Council Member Roles and Responsibilities* materials, including a new organizational chart, the FRCOG Council charter, FRCOG Council bylaws, and member contact information.