



Franklin Regional Council of Governments

Executive Committee —*MINUTES*

Date & Time:	Thursday, April 9, 2015 /5:00 p.m.
Location:	JW Olver Transit Center, 12 Olive Street Greenfield, MA – First Floor Meeting Room
Facilitator:	Bill Perlman, Chair

ATTENDEES:

- Bill Perlman, Regionally Elected Representative
- John Paciorek, Regionally Elected Representative
- Sam Lovejoy, Franklin Regional Planning Board Representative
- Kevin Fox, Colrain Representative
- William Martin, Greenfield Representative

STAFF:

- Linda Dunlavy, Executive Director
- Rebekah Boyd-Owens, Administrative Services Coordinator
- Mary Praus, Land Use Planner/Climate Change Working Group

1. Adopt 1/8/15 and 3/12/15 minutes

Bill Perlman opened the meeting at 5:00 p.m.

John P. moved to adopt the 1/8/15 and 3/12/15 minutes. Sam seconded the motion. Motion passed unanimously.

2. FRCOG Climate Change Actions Committee's (CCAC) Mission Statement

Mary Praus presented the Exec Com with copies of the CCAC's mission statement explaining that the volunteer group of FRCOG staff, established last year, meets during lunch breaks to create a plan of action to reduce the effects of climate change at work and, by extension, in the communities served. The group would like the Exec Com and then the Council to endorse the statement. Linda explained that this sort of staff initiative is new to the FRCOG and that the mission previously was endorsed in an all-staff meeting.

The Executive Committee expressed some reluctance to endorsing the statement for a variety of reasons. Sam suggested the Franklin Regional Planning Board (FRPB) might like to discuss the mission and working group's goals, and wondered how the FRCOG would control a proliferation of such advocacy groups if formed. Bill P. expressed his understanding that having such a statement validated by the Council would give the FRCOG grant application advantages. Bill M. suggested giving pertinent examples of state and federal initiatives and explaining how the work of the group relates to FRCOG grants. John P. wondered if all Council members agreed that climate change issues are an actual problem. Members suggested specific edits and ways to approach further validation of the document. Mary and Linda agreed to pause and give the working group an opportunity to determine next steps.

3. Pipeline Staffing Proposal

Linda suggested the committee consider approving additional staffing for imminent FRCOG efforts made to prepare towns for the proposed Kinder-Morgan gas pipeline. She reminded them that the FRCOG has not taken a position for or against the pipeline, but wants regional towns to be educated and thinking about creating host agreements and protecting themselves if the pipeline comes. If towns agree that this is a good idea, they can add to their warrants a request to fund the FRCOG's services, which include learning and sharing information about creating host agreement templates for directly impacted, and possibly, abutting towns; obtaining intervener status, helping towns obtain intervener status and providing related technical assistance; and legal services in all areas of the preparatory work. Based on estimates provided by counterparts in Berkshire County, Linda believes this effort will cost roughly \$70,000; \$15,000 of which is currently expected to be needed for activities that could occur before June 30 (so before Towns can contribute local funding if secured at Town Meetings) and suggests the FRCOG use \$15,000 from Free Cash. Linda explained that she's never before asked for free cash to work on a special project but said that she feels the impacts of the pipeline on the region could be profound enough that it's necessary in this case. The \$15,000 will be used to hire a staff member or devote existing staff and legal time to pipeline work.

Kevin voiced his concern about the FRCOG leaving out the needs of towns abutting those through which the pipeline actually runs. Linda explained that whether the focus of the education/work is on the proposed pipeline towns, on those tangentially impacted, or on the region as a whole, it's essential that the FRCOG be educated and ready to assist towns in need.

Given Berkshire Gas' moratorium on providing gas for new customers, Bill M. expressed trepidation accompanying his understanding of the Planning Board (FRPB) as an obstructionist body in the FERC process. Bill P. reiterated that the FRCOG and FRPB are neutral bodies, without judgement or opinion or a position on the project as a whole. The FRCOG only seeks to mitigate any environmental or other damages or interruptions to the towns, he said. Linda said the goal of the FRCOG is not to say "no" to the pipeline but to understand its impacts and to help towns limit them. Sam added that state law requires there be a needs and alternatives assessment, that the work done by the FRCOG needn't be seen as negative.

Bill asked if towns involved would pay back the \$15,000 June 30. Linda said that was a possibility, if towns decide to devote funding to the effort and if the Council requires this.

Sam L. motioned to recommend to Council to commit \$15,000 of undesignated reserve funds for the FRCOG to assist towns on issues related to the proposed pipeline, to be used for staffing, legal or other technical assistance. Kevin F. seconded the motion. The motion passed unanimously.

Linda reminded Ex Com members that they are the appointing authority for two FRCOG staff positions – the Executive Director and the Planning Director. In the FRCOG's mapping work responding to AECOM's request for analysis of impacted resources along the K-M proposed pipeline route, the Planning Director realized that her home may be within ¼ mile of the proposed route. Concerned that this might be perceived as a conflict, she spoke with the FRCOG's attorney and the Ethics Commission. To be cautious, the Ethics Commission advised that the Planning Director file a Section 19 Disclosure. A Section 19 disclosure requires that an individual's appointing authority must review the perceived conflict and provide a written determination if the individual's "financial interest is so substantial as to be deemed likely to affect the integrity of the services that may be expected of the

employee.” The Executive Committee reviewed and discussed the Section 19 disclosure. The members of the Committee made the determination that both the project and its path are at this time speculative.

Sam L. made a motion that the Planning Director does not have a direct conflict or financial interest in the project and that Executive Committee members believe that her history of professionalism eliminate any concerns of prejudice at this time but that the Committee will review the matter again if and when the route becomes more refined. John P. seconded. Passed unanimously.

4. Hatchery Road Request from MassDOT

Linda reported that the FRCOG has not received a letter from MassDOT as the Adams family, owners of the land adjacent to Hatchery Road, are attempting to sell their land.

5. Advertising in the Recorder

Linda told the committee that *The Recorder* regularly asks the FRCOG if we’d like to purchase a monthly informational insert. The committee felt it was unnecessary.

6. FRCOG Continuing Role with Broadband

Linda explained that the current FRCOG contract keeps staff members involved with Broadband until June 30, when staff will pause to examine whether further involvement is good or bad for the FRCOG.

6 – Business Not Reasonably Anticipated 48 Hours in Advance of Meeting

No Business to discuss.

Kevin Fox moved to adjourn the meeting; John Paciorek seconded. Motion passed unanimously. Meeting adjourned at 6:23 p.m.

Documents Distributed:

- Agenda
- Minutes from 1/8/15 and 3/12/15 meetings
- FRCOG Climate Change Action Committee Mission Statement