



# Franklin Regional Council of Governments

## Executive Committee —MINUTES

Date & Time:	Thursday, November 9, 2017/ 5:00 p.m.
Location:	FRCOG Offices, 12 Olive Street, Greenfield, MA – Room 221/Library
Facilitator:	Bill Perlman, Chair

### Representatives Present:

- Jay DiPucchio, Regionally Elected
- Kevin Fox, Council Appointee, Colrain
- Bill Perlman, Regionally Elected
- Bill Martin, Council Appointee, Greenfield

### Staff Members Present:

- Linda Dunlavy, Executive Director
- Bob Dean, Director Regional Services
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### Guests:

- Rebekah Boyd, Admin Services
- Jessica Atwood, Economic Development

## EXECUTIVE COMMITTEE MEETING AGENDA:

### 1. Review and adopt 10.17.17 Executive Committee minutes

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

**Jay D. moved adoption of the 10.17.17 minutes. Bill M. seconded. The motion passed unanimously.**

### 2. Continuation of Public Hearing RE: Petition for Hawley Middle Road Discontinuance

Bill P. opened the public hearing at 5:00 p.m. to consider discontinuance of a section of Hawley’s Middle Road. Bob D. explained that he received an email from Marguerite Richardson saying that Hawley and the state Department of Conservation and Recreation (DCR) have been negotiating the maintenance agreement, and that DCR made the town’s requested changes to the document. Neither Ms. Richardson nor Bob has heard back from the town to know if the agreement was signed.

**Jay D. moved to continue the hearing on Dec 14, at 5 p.m. Bill M. seconded. The motion carried with all in favor.**

### 3. EDD Governing Board transition

Jessica A. explained that to better reflect the federal guidelines of the U.S. Economic Development Administration (EDA), FRCOG staff is suggesting revision of the membership of the FRCOG’s Economic Development District (EDD) Governing Board. Currently the EDD Board membership consists of members of the CEDS Committee, and also includes some FRCOG Executive Committee members. FRCOG staff proposes that the membership of the EDD Board shift to become the same membership as that of the FRCOG Executive Committee. Essentially, the Executive Committee would also serve as the EDD Board. What this means in practice is that two to three Executive Committee meetings a year will also be posted as EDD Board meetings to address specific tasks, such as final approval of the CEDS

plan. Because the Executive Committee has the authority to appoint members to the EDD Board, no changes to the EDD Board Bylaws are required.

Jessica explained that as a designated EDD, FRCOG is eligible to apply for an economic development planning grant to fund staff time and gives the region an advantage when applying for other EDA grants. For the past few years FRCOG has received \$70,000 in EDA planning grant funding annually.

Bill P. said he'd like to follow the progress of the plan's development. Linda suggested that because Jim Basford and Mayor Martin are on the CEDS Committee, they can provide the Executive Committee with progress reports.

Jessica reviewed the schedule for developing the upcoming CEDS annual report. She explained that the CEDS plan presents an overall vision and strategies for economic development in the region and encompasses activities conducted by multiple partners, and not just FRCOG. The CEDS Committee has membership seats for each CEDS region town (which includes all Franklin County towns plus Amherst, Athol, and Phillipston) and appointing organizations. Linda noted that it is often difficult to meet the nine member quorum for meetings. She added that because the CEDS sets economic goals and activities for the region — not just for FRCOG — it is important to have partner organizations participate. It may make sense, for the region's economic advancement to rethink the size and membership of the committee. This would require a change to the committee's bylaws, but would make it a more nimble committee. Jessica added that a more nimble committee could be balanced with more public outreach. Bill P. suggested that the CEDS Committee leave some spots on the committee for small towns with unique focus and slightly different perspectives. Linda noted that this could be accomplished similarly to how the TPO committee membership is structured.

No vote was needed because the Executive Committee is the appointing authority to the EDD Board. The current membership of the EDD Board will meet in January to discuss the change, and staff will update the Exec Com soon thereafter.

#### **4. Letter to legal counsel re. review of SBRTF transfer**

Linda included this item on the agenda because Donna MacNichol wasn't responding to our requests to review the transfer documents. Now she is reviewing them, so the suggested letter isn't necessary.

#### **5. FCECS Update: Boston Visit**

Staff members Linda D, Tracy R, and Dan N, joined Bill P. and Deerfield police chief John Paciorek, all closely connected with radio oversight committee, met in Boston with Steve Kulik, Susannah Whipps and reps from the offices of Paul Mark, Adam Hinds and Stan Rosenberg. Kurt Wood, Undersecretary for Forensic Science and Technology, relayed that of the entities joining the state 800 MHz system, the FCECS is not currently high priority. Wood said he requested \$122 million of A & F (Governor's budget) funds of which he received \$1.9 million. We are, at best, at phase 3 in the queue, which means it's likely that it will take longer than our system will survive to join the state, Bill P. reported. Kurt Wood is having a conversation with the Governor tomorrow to ask for more money for our project. The reps are sending a letter to Gov. Baker asking him to make us a first priority. Bill thinks this won't happen, however, so we'll need to look for money elsewhere.

Bill P. suggested the most cost-effective solution may be to: redesign, partially rebuild, and purchase new 450 MHz equipment, which is a majority of cost. We're waiting for the answer.

Linda felt the meeting with the legislators went as well as we could hope and was productive. They got the message that the system is in crisis and we need help. The legislators will send a letter to Governor Baker and EOPSS asking for Franklin County to be prioritized in Phase One of the state's emergency communication system plan; will support our Efficiency and Regionalization grant application that will be used to conduct the technical, logistical and governance design of a new 450 MHz system (assuming we are not moving up in the state's priority); and will help us craft and support legislation that would allow the FRCOG to bond for the cost of a new system with FC municipalities pay back the bond, if necessary.

Bill M. said he wouldn't want FCECS to compete with other entities. Greenfield has been accepted for a grant to regionalize dispatch. Linda explained that the FCECS is the infrastructure that allows for dispatch, and thus, not in competition. Dispatch is a user of the FCECS system. We're looking to repair or replace that system for users and dispatchers to use. In fact, it could be a win-win for the state to deal with both the FCECS and Greenfield's dispatch problems at the same time, she said. It may make sense to say we're upgrading both infrastructure and dispatch to improve public safety. What's clear is that equipment and technology have about a 10-year life span. There is no reason for FRCOG to own the FCECS except that we're a regional entity. Greenfield could certainly be the owner, but every 10 years the system will need replacement.

## **6. Updates and announcements**

- **Finance Director search**
- **Ceiling project**
- **FERC Intervenor Status application**

### **Finance Director Search**

Linda showed the advertising pamphlet that Collin's Center will distribute far and wide.

### **Ceiling Project**

This project is on hold as Tina feels other uses of funding are a priority. Our IT guys feel it would be easy enough to set up downstairs as a temporary office and let the public know that the FRCOG offices are closed upstairs. The ceiling expert's opinion is that this is a challenging project and that FRTA would need to hire an architect to come look at it.

### **FERC Intervenor Status application**

On October 27, 2017, the FRCOG and Connecticut River Conservancy (CRC) jointly filed a Motion to Intervene with FERC in response to FirstLight's (FL) request to temporarily amend their current license to allow them full use of the excess capacity in the Northfield Mountain upper reservoir. The FRCOG/CRC Motion asked FERC to deny the request. Further, if FERC decides to approve FL's request, the FRCOG/CRC Motion asked the FERC to include several erosion monitoring and reporting requirements as part of the approval, which FERC has done for past temporary license amendments.

On November 1, 2017, FL filed their response with FERC asserting that using the full capacity of the upper reservoir without restrictions will have no impact on bank erosion because FL's relicensing studies concluded that naturally occurring high flows, not Northfield Mountain operations, are the

dominant primary cause of erosion. FL also attempted to refute other concerns and comments in the FRCOG/CRC Motion.

The CRC worked with FRCOG staff to prepare a response to FL's comments. We are requesting approval from the EC to sign and send this letter to FERC for their consideration as they review FL's request for a temporary amendment to their current license.

Members discussed the very real, observable environmental damage; past experiences and future strategies with FirstLight and FERC; and the FRCOG's role as one of only 2 advocates for maintaining a healthy riverway. Bill M. suggested asking for a royalty on energy as abutters. Kevin Fox opined that FirstLight's response is merely protocol, adding that he doesn't know who would be a better team at the table. Staff will send the letter.

### **7. Business Not Reasonably Anticipated 48 Hours in Advance**

The Governor's office is allocating \$45 million for Broadband. Linda's understanding of Steve Kulik's understanding of the priorities for the money is:

1. To provide more funding for MBI, which only survives on bond funding
2. For make ready work. As some towns get through make-ready design, they are discovering that their cost estimates are \$500,000 or higher than what MBI estimated. This allocation will be made in response to town requests for help.
3. For 7-10 towns that have no path forward at this point

This sounds like if your town was responsible, then you're out of luck, said Kevin, adding that the formula for who gets money sounds subjective to him.

Bill M. said the value of poles has increased. We've just spent tons of money so we should be able to tax utilities higher, he said. Linda promised to explore this idea with DOR DLS.

**Kevin F. made a motion to adjourn. Bill M. seconded. All in favor.**

#### **Documents Distributed:**

- Agenda
- 10.17.17 Executive Committee minutes
- *Answer of FirstLight Hydrogenerating Company to Motions to Intervene and Comments on Request for Temporary Amendment*
- *Connecticut River Conservancy Response to FirstLight's Answer re: Application for Temporary Amendment of License, dated November 7, 2017*
- *Bedell Bridge Site Study — graph*
- *Connecticut River — Turner's Falls Impoundment Riverbank Classification for Land Based Survey*