



Franklin Regional Council of Governments

Executive Committee —MINUTES

Date & Time:	Thursday, March 8, 2018/ 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
- William Martin, Council Appointee, Greenfield

Staff Members Present:

- Linda Dunlavy, Executive Director
- Bob Dean, Director Regional Services
- Rebekah Boyd, Admin Services

Guests Present:

- Michael Slowinski

1. Review and adopt 12.14.17 Executive Committee minutes

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

Jay moved adoption of the 12.14.17 minutes. Kevin 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 further consider discontinuance of a section of Hawley’s Middle Rd. Bob Dean reported that DCR and the town of Hawley have a maintenance agreement, but Hawley still has questions about the effect of the discontinuance on Chapter 90 funding. Because road mileage is a factor in the equation, a 3-mile loss would amount to a \$12K to \$13K funding loss. The town sought help from Rep. Paul Mark to be “held harmless” by the state.

Bob spoke with Rep. Mark to discuss the chapter 90 impact. Rep. Mark suggested special legislation could allow DCR to invest funds into the road, but the DCR lawyer involved felt the agency would actively oppose such legislation as they don’t want to set precedent. The current plan is for DCR to fix and own Middle Rd., and for Hawley to maintain it after fixed. Hawley is now on record as opposed to discontinuance. DCR says it’s a public road they should be maintaining all along. Rep. Mark is willing to help them try to come to some resolution. He suggested the town have faith and discontinue. The town is asking to continue the public hearing to the next meeting.

Jay D. moved to continue the hearing for purpose of discussion to April 12, at 5 p.m. Bill M. seconded. Motion passed unanimously. The public hearing was continued at 5:07 p.m.

3. HRA Board Reappointment

Bill M. moved to reappoint Bruce Parkin for a 5-year term on the Franklin County Housing & Redevelopment Authority Board of Commissioners. Jay D seconded. Motion passed with all in favor.

4. Review of testimony to the Cannabis Control Commission, MassDOT State Rail Plan, and Governor's Housing legislation.

Linda briefed the committee about 3 documents: Marijuana legislation testimony by staff and the Executive Committee; her testimony to MassDOT regarding the state rail plan; and her letter to the chairs of the Joint Committee on Housing discussing the Governor's Act to Promote Housing Choices, wherein she requested the act become one component of state comprehensive zoning reform. (*See handouts.*) In the case of the MassDOT testimony and the Housing Act letter, the time frame in was too narrow for the Executive Committee to discuss so Linda responded herself.

5. Program and Staff Updates: Director of Finance, Health Agent, MTWP project, Housing Choice Initiative, Opportunity Zones

Director of Finance

Lifelong New Salem resident, Claire McGinnis starts Tuesday, March 20, overlapping with Pat for 8 days. Linda Gross, Asst. Finance Dir, is considering a temporary fulltime stint to help with transition through the fiscal year. FRCOG received many emails saying we're lucky to have Claire aboard.

Health Agent

So far staff has received one good application for the Health Agent Position. Staff suggested we may need to develop an apprentice program for the role. Bill M. suggested restructuring might be in order.

Mohawk Trail Woodlands Partnership (MTWP) Project

Linda received many angry phone calls from MTWP opponents, accusing her of being a climate denier and stating she's going to be sued, among other things. She worked with Reps Steve Kulik and Smitty Pignatelli to try to add components to the legislation which observe some of the opponent's wishes, such as the inclusion of a carbon trust and carbon storage expert. We are also asking to add that any funds expended by the partnership are never used for a pellet factory **((correct?))**. Steve's idea is to remove all funding **((of the partnership? For a pellet factory?))** so it becomes competitive.

In light of the heightened opposition, Linda has offered to meet where opponents can present their science to the Exec. Board, and proponents can present their interpretation of the project. The crux of the issue is that opponents feel it's a biomass projects and we believe it's an economic development project which supports forestry as a conservation measure, among others. Committee members strategized about how to handle the vitriol, and attacks on the agency and on Linda personally. If the legislation passes, the MTWP becomes its own entity which towns control. The project has many positive benefits and is a unique way of thinking, Linda said, which makes it very appealing for foundation funding. She'll inform the committee if a reason to plan a mediated meeting arises.

Housing Choice Initiative

The Governor's housing production plan requires towns to have **((3 to?))** 5% increase in housing over a 3-year period, or adopt **((3 of 9?))** of the state's municipal best practices. Only three FC towns meet the 3% criteria, thus making most of our discretionary grants negatively affected by this initiative.

Linda's Rural Policy Commission subcommittee developed a proposal to be presented to the Governor tomorrow. They created a map that shows communities that have not met the 3 or 5% housing increase overlaid with towns having stagnant or slow population growth. The overlay shows that, other than within the 495 beltway, slow growth communities are those that haven't met 3 to 5% in western and central MA, and on Cape Cod. This initiative does not consider the constraints of rural communities. **((What is the proposal?))**

Opportunity Zones

The Trump tax package allows for deferment of capital gains taxation for private investors in low-income census tracts. Governor Baker has designated 138 tracts, and has promised that 10 % **((of accepted/awarded applications?))** will be in communities with less than 10,000 residents. State low-income census tracts include 3 areas in Greenfield; 2 in Montague; and the combined census tracks of Erving, Wendell, and Warwick, and of Charlemont, Colrain, Heath, Rowe and Monroe. The application asks towns what planning processes are in place and what indications they have that private investors are interested. Staff is offering to help all communities willing to apply.

6. Review and discussion of Strategy Matters strategic planning proposal

FRCOG has two proposals for strategic planning **((consultation))** from Strategy Matters: one costing \$7900 and the other \$15,000. The lesser proposal delivers a report on their findings leaving FRCOG to present to towns; the greater would afford the FRCOG a presentation to stakeholders and a planning retreat. If the Executive Committee thinks there's any value to these proposals, Linda recommends going to the Finance Committee to find funding in the FY19 budget and start July 1 or after.

Members discussed the FRCOG's needs. One advantage of using a consultant is that municipal officials will listen to an outsider. Consensus was that the more extensive (and costlier) proposal seemed fitting. **Jay D. moved to endorse the higher price spread, recommending to the Finance Committee that staff pursue the Strategy Matters services. Bill M. seconded the motion. Linda explained staff would need to go out to bid. The motion was withdrawn.**

7. Lease review

It will soon be time to renegotiate FRCOG's lease. FRTA has had earmarks to fund the transit center since it opened. These funds are dwindling and FRTA says that they prohibited by legislation to hold a capital reserve account, and once the federal funds are gone, then they will return to our lease agreement to discuss how we pay for cost of building. Currently FRCOG pays 50% of exterior and 60% of interior capital repairs and costs. (See handout). The lease is effective until 2032.

Staff and members endeavored to understand the terms of the current lease. Questions arose regarding timeline; the inclusion of both capital and operating costs; arguably subjective elements of the lease; the **((unmet??))** requirement for annual budget presentations by the FRTA; the original earmark total, remaining earmarks, and how they've been spent to date; the FRTA's long-term capital improvement plan projections; the lifetime of the roof and solar array; audits of these figures; café responsibility; the possibility of paying a market rate rent which would increase annual costs in the short term, but protect in long term; and the funding responsibility for the FRTA's maintenance facility.

Linda explained that the rent after 2017 is based on actual costs, including capital costs. Staff and the committee considered future funding and possible revenue sources.

Bill Martin suggested Greenfield might be being double-assessed by FRTA and FRCOG? Linda clarified that Greenfield is not double paying but paying to two different agencies.

8. Business Not Reasonably Anticipated 48 Hours in Advance

Bill M. made a motion to adjourn. Jay D. seconded. All in favor. Meeting adjourned at 6:06 p.m.!

Documents Distributed:

- Agenda
- 12.14.17 Executive Committee minutes
- *Middle Road Discontinuance Petition, Hawley Select Boards Continued Opposition* memo from Hussain Hamdan, chair of the Hawley Select Board, dated March 8, 2018.
- Bruce Parkin reappointment request letter from Frances Pheeny, dated February 20, 2017.
- Bruce Parkin résumé
- Draft *Adult Use of Marijuana Regulations* letter from Linda Dunlavy to the Cannabis Control Commission, dated February 6, 2018
- Letter from Linda Dunlavy to Senators Boncore and Honan, co chairs of the Joint Committee on Housing, regarding Governor Baker's Act to Promote Housing choices, dated January 30, 2018.
- Letter from Linda Dunlavy to Stephanie Pollack, Secretary MassDOT, dated February 2, 2018, commenting on the State Rail Plan.