



Franklin Regional Council of Governments

Executive Committee—*MINUTES*

Date & Time:	Thursday, March 14, 2019/ 5:00 p.m.
Location:	FRCOG Offices, 12 Olive Street, Greenfield, MA – Second Floor, Room 221
Facilitator:	Jay DiPucchio, Chair

Representatives Present:

- Jay DiPucchio, Regionally Elected
- Jim Basford, FRPB Appointee
- Bill Perلمان, Regionally Elected
- Kevin Fox, Council Appointee
- Bill Martin, Council Appointee

Staff Members Present:

- Linda Dunlavy, Executive Director
- Peggy Sloan, Planning Director
- Rebekah Boyd, Admin Services Coordinator

1. Review and adopt 2.14.19 Executive Committee minutes

Jay D. opened the meeting at 5:00 p.m.

Bill P. moved to adopt the 2.14.19 minutes. Jim B. seconded; the motion passed unanimously.

2. FCECS developments discussion

Bill P. alerted the committee that Franklin County was never mentioned in the initial RFP proposal for engineering the new system, but EEOPS now understands the region’s needs and problems, as evidenced by the County’s inclusion in the CoMIRS expansion engineering study. Linda’s efforts in hounding our state representatives has made a difference, he said.

What staff and the FCECS Oversight Committee know:

- The state now recognizes Franklin County as an emergency critical area.
- Construction of the system will take place over a 5-year period.

What staff and the FCECS Oversight Committee don’t know:

- In what manner the build-out will proceed. (Not necessarily East to West.)
- What formula to use to distribute radios to each FCECS unit/service/town in order to have system function fully and efficiently.
- The cost of transfer, and how we’ll pay for it, if required.
- The cost of radios and maintenance.

Linda allowed that Sens Comerford and Hinds, and Rep. Blais agree that Franklin County should pay nothing for the transfer. They are willing to pursue legislation that would allow FRCOG to borrow for equipment, and Linda believes it may make sense to begin the borrowing process soon, in case of catastrophe. Although determining price is a challenge, the bigger issue is that FRCOG doesn’t have a

credit rating. Sean Cronin, Division of Local Services, wants to muddle this over and discuss interdepartmentally. It could be that FRCOG's rating is the lowest of all 26 towns.

Bill P. reported that the oversight committee has been working to come up with the radio distribution formula. The radios will be owned by towns, and towns will be responsible for their maintenance and replacement, but not their programming, which is part of the expansion.

Members discussed possibilities for paying for radios; the possibility of evolving numbers of subscribers/users and associated costs; allowing the engineers to make decisions about how to best build the system after we state town concerns; the advantage of having most of Franklin County's 800 MHz radios currently in working condition; options for funding the system, including cherry sheet assessment, FRCOG borrowing and towns becoming guarantors of system debt, a FRCOG-like assessment to towns, E-911 grants, and legislative possibilities; and the challenge of not having a credit rating which could inhibit borrowing.

The committee agreed that it would be imprudent to bring a vote of such great complexity to town-meeting floors, especially without solid transfer cost figures, and because a FCECS funding vote would compete with other requests.

3. Bear Swamp relicensing

Peggy Sloan passed out a map and memo regarding the Bear Swamp Power Company in Rowe and Florida MA, owned by Brookfield renewable (*See handout.*) She explained that the company has submitted their Final License Application for their hydroelectric facility with proposed protections, mitigation, and enhancement measures. Peggy asked if the committee will send a letter drafted by planning staff requesting intervenor status and asking FERC to consider the following further measures:

- Adopting a permanent restriction on acreage currently on time-limited conservation.
- Allowing additional Lower Reservoir access for anglers and rafting companies, including a portage trail.
- Flow releases conducted in a manner that both minimizes the rapid-rise drowning of endangered odonate species, such as rare dragon flies, and provides conditions suitable for whitewater rafting, as required by the Deerfield River Settlement Agreement.
- Improvements to the safety system horn and pulsing light, currently inadequate to warn anglers and others engaged in recreational activities along the river.
- Installing and maintaining sanitary facilities, such as composting toilets or port-a-potties at the Shunpike Rest Area, very actively used and currently a public health problem.

The committee considered Peggy's request, discussing at length the appeal for sanitary facilities at the Shunpike — whether or not the responsibility/community service should fall on 1.) The power company, who makes billions of dollars from the area's natural resources and whose water releases bring those recreating on the river to the rest area; or 2.) MassDOT, who owns the land there; or 3.) The Town of Charlemont. Peggy suggested entities other than FRCOG can also send letters to FERC, adding that she has kept them informed.

Another discussion ensued regarding whether or not it was the FRCOG's role to take such a stance.

Jay D. reminded the committee that part of the FRCOG mission is intervention in these kinds of relicensing applications — to suggest ways the public can benefit more from a natural resource. What this letter would represent is FRCOG’s level best effort to raise some of the central issues, he said.

Jay moved that the FRCOG staff write a letter asking for intervenor status in Bear Swamp’s relicensing process and outlining the discussed mitigation requests. Bill Perlman seconded the motion, which passed with all in favor.

Linda explained to the Committee that FRCOG doesn’t have a dedicated fund for this sort of work. This latest (Bear Swamp) initiative took several hours of Peg’s time, funded with the indirect rate from grants. Staff wonders if this sort of work will continue, and how much time and effort they can and should put into it. If it requires more time than is currently expended, FRCOG may need to consider a less piecemeal funding process. Added challenges are that staff members don’t know when these licensing projects will come up, how significant they will be, or how significant the FRCOG voice is — although the Executive Committee has always agreed that this is part of our work.

Bill M. suggested that with pipeline we had a good model; if town was interested, they made a contribution. Linda agreed that getting money from towns makes sense when the project is large. Or when FRCOG has to hire lawyers, Kevin suggested.

4. Business not reasonably anticipated 48 hours in advance

Bill P. made a motion to adjourn. Jim B. seconded. Meeting adjourned at 6:02p.m.

Documents Distributed:

- Agenda
- 2.14.19 Draft Executive Committee Minutes
- Bear Swamp Licensing memo from Peggy Sloan dated March 14, 2019
- Bear Swamp Map