



# Franklin Regional Council of Governments

## Executive Committee/ Finance Committee — *MINUTES*

Date & Time:	Thursday, April 9, 2020 at 5:00 p.m.
Location:	Remote meeting using videoconferencing technology
Facilitator:	Jay DiPucchio, Chair

### Executive Committee Representatives Present:

- Jay DiPucchio, Regionally Elected
- Jim Basford, FRPB Appointee
- Bill Perlman, Regionally Elected
- Kevin Fox, Council Appointee (phone)

### Finance Committee Representatives Present:

- Lynn Sibley, Chair, Whately Rep
- Ellen McKay, Shutesbury Rep
- Jay DiPucchio, Regionally Elected
- John O’ Rourke, Conway Rep (left @ 5:55)
- Kevin Fox, Colrain Rep (by phone)
- Michele Giarusso, Leyden Rep (arr. @ 5:19)

### Staff Members Present:

- Linda Dunlavy, Executive Director
- Bob Dean, Director of Regional Services
- Phoebe Walker, Director of Community Services
- Claire McGinnis, Finance Director
- Rebekah Boyd, Admin Services Coordinator

### 1. Review and adopt 3.12.20 Executive Committee Minutes

Jay convened the meeting at 5:00 p.m. **Bill moved adoption of the minutes of the 3.9.20 meeting as presented. Kevin seconded the motion, which passed with all in favor.**

### 2. Welcome Mayor; discuss roles and responsibilities

Mayor Roxann Wedegartner sent regrets, as this meeting conflicted with a Greenfield budget meeting.

### 3. COVID-19

#### FRCOG Response Efforts

Referring to the COVID-19 handout, Linda explained that the FRCOG has been very actively involved in many activities in response to the pandemic. She allowed that she could spend time reviewing these, but said she’d brought the Executive and Finance Committees together to talk about the status of the programs and expense expectations resulting from FRCOG’s coronavirus response. Committee members were impressed with the breadth and depth of the response, and agreed to further review the list on their own time, spending the meeting to discuss programs and other agenda items.

#### Impacts on Projects and Services

Linda shared concerns about the function and funding of various programs:

*Collective Purchasing* With no state changes to regulations for collective procurement, it's been a challenge to get all highway products and services and bids out. The biggest issue: the program must have hardcopies of bids; digital copies do not suffice. The FRTA is fully locked, so program staff can't receive bids via FedEx and UPS, but we still receive mail. The plan was to hold in-person public bidding in the large room where social distancing could happen. A public bid opening was held this week outside under the FRTA.

*Cooperative Inspections* Permit activity is down 40%, which is atypical during the spring construction season, usually a revenue-heavy period. In the state of emergency, the need for inspectors may slow, or stop. Department heads discussed how deep reductions to inspections staffing and/or hours should be, and the timing of those cuts. Program reserves could be depleted severely. Administration has discussed reducing staffing, but continuing to offer benefits. Linda noted that the program should be carefully considered before any decision is made, as it will be vital for the region during the COVID recovery period.

*Grant Programs* Though program staff are productive, grants that end June 30 (ADA assessments, culvert, and regional tourism) that require significant fieldwork, are an impossibility now. Staff are completing pavement management now and tackling as much as possible on other projects, with hopes that they can dig-in mid-May.

*Town Accounting* Bob explained that some staff are working in the transit center, while others are adjusting to working from home with towns scanning invoices and processing things to make remote work possible. The program procured gloves, masks, and other supplies to best protect themselves.

### **COVID benefit time**

Claire referred to the Fin Com memo, reminding members that the Exec Com approved a COVID administrative time/benefit time pool of up to \$30,000 – to be charged for up to 20% of an employee's regular work schedule if staff are unable to complete regular length of work week requirements. Staff were directed to come back to the Committee if need exceeds that amount. So far, \$3279 has been charged. Many staff have not used COVID time at all.

Linda said she and Claire thought \$30,000 would cover expenses through May, if only there wasn't the complication of the COVID-19 FMLA law, which allows up to two weeks of sick time for employees lacking childcare, and then up to 12 weeks of sick time at 2/3 pay. Staff aren't sure how to predict the sick-time cost, particularly because the FRCOG doesn't expense sick time until it's used. When they approached the Exec Com in March, staff didn't know that CPHS and Emergency Prep staff would work more than their regular schedule. Emergency Prep work is now leveling off, while public health staff time is increasing. Though these staff must continue to care for the region, Linda said, grant funding might run out before their work is complete. Phoebe noted that CPHS staff are tracking time in hopes of not burning through the grant funds too quickly. If the emerging number and pace of confirmed COVID-19 cases continues, staff estimate the response cost, through June 30 and into the recovery period, to be between \$30,000 and \$80,000 in excess of the March allocation of \$30,000,

Phoebe informed members that the peak in Franklin County will occur closer to early May. New case emergence is expected be slow and steady, rather than occurring in an intense spike as seen in cities. She is hopeful that with the state making a change in the flow of contact tracing, the curve will flatten,

as will the need for so many public health worker hours. CPHS staff are funded in half by town assessments and half by grants. With the new state tracking in place, the third round of the tracking grant may not be distributed, she noted.

Claire reported that \$690,000 is the most recently audited amount of FRCOG's undesignated general fund balance. Members discussed whether the FRCOG will qualify for the federal payroll protection program, suggesting staff find out and, if it's an option, apply. Fin Com Chair Lynn Sibley asked what the logistics of putting money into the COVID-19 account might be. *(At this point, the committee skipped to agenda item number 5 to discuss the forthcoming scheduled meeting of the full Council.)*

#### **4. Discuss FRCOG Organizational Assessment study and the role of the Executive and other committees**

Linda reported that Community Paradigm Associates was the low bidder for the Organizational Assessment study. That agency's bid was for \$23,500 --- \$260 lower than the other bidder. FRCOG is required to go with the low bidder unless we have a specific reason not to. Staff members are pleased that Bernie Lynch will take lead in the study. He is familiar with how municipalities and our unique organization function, both individually and together. Another study team member has a history working with FRCOG. Members discussed the pros and cons of having someone with a former relationship with FRCOG on the team. Some felt that because the organization is so unique, it might be helpful to have someone with an understanding of FRCOG's current and past political and cultural work. Others felt that because part of the job is to figure out who and what FRCOG currently is, before the agency makes structural change, team-member preconceptions could result in a less-than-objective outcome. Linda spoke once with Paradigm to discuss the team makeup, and will follow up.

Regarding the timing of the study, Jay pointed out that if the proposed schedule is followed, FRCOG will still be responding to/recovering from the COVID-19 situation, and not engaged in its usual activity. Linda said she has already talked to Paradigm about starting the project in June instead of May, which Paradigm indicated was good timing. She reported that in responding to the coronavirus, staff learned early on that FRCOG doesn't have authority to spend or speak on behalf of the county's municipalities, yet many turned to FRCOG for decision-making assistance and to represent a single, regional voice. The after-action report should involve thinking about what the FRCOG is and will be in the next regional, national, or global emergency. The Council may want to consider a charter change as a result, she said. Waiting until the active COVID response is complete before carrying out the study would allow for the findings to be incorporated into the study.

Bill suggested FRCOG examine the mission statement to see if there's something we should or should not be doing. FRCOG is stepping in to fill voids, but is it the right entity to step in? And how does filling voids affect the agency's work? FRCOG provides some emergency services assistance, depending on the emergency, but doesn't want to be at cross-purposes with MEMA. Phoebe said the pandemic has revealed a need for centralized information, and FRCOG is asked to carry out that role.

Jay argued that counties do not play a statutory role in Massachusetts, but FRCOG absolutely has a role as regional arbiter, coordinating responses to this pandemic and other such issues. That's the role FRCOG built for itself, and FRCOG is the agency people look to because they don't have a county entity. He suggested that staff and Council members consider the assessment study not as a recommendation

to become something different, but as a chance to prepare for what may be another statutory change, perhaps even going back to being a county after 25 years.

Members and staff discussed whether it was prudent to pause to work through the emergency into the new normal and to write an action report, before the study begins. The consensus was to delay the study, as employees may have difficulty responding to study during the pandemic. However, the September 1 completion date and fact that key staff members will be retiring in the next few years made it clear that the study must proceed sooner rather than later.

Jim suggested limiting the scope of the study. Staff shared the RFP summary, determining a limit to the study was not possible, but that some aspects of the work could be done without direct staff input. The purchasing officer on staff informed the committees that the September 1 end date could be amended by mutual agreement. Kevin noted that the RFP price quote says parties can waive timeline requirements if deemed in the interest of the public. Members felt August might be a safe time to begin the interactive parts of the study, when employees can be present.

#### **5. Discussion of whether to hold April Council meeting, Annual Report changes, etc.**

Considering the challenges folks are having personally, and the need for FRCOG to plan for and process the extreme staffing and financial outcomes of the response to the COVID-19 pandemic, staff posed the question of whether a meeting in April could occur. When the Council meets, Linda said, now or in the near future, it will need to discuss and vote on use of COVID time and sick-time, including that used to cover family members getting sick; and covering the salaries of staff working extra hours now burning through grant money.

Claire said the implication of the (*above, item 3*) discussion is that FRCOG may need to budget transfers to complete the year in balance, possibly including use of general fund balance. Such a transfer requires a request to the full Council, with the understanding that it may be only partially reimbursed with FEMA funds, in roughly 18 months, at 75%. Program reserves could be used, but currently only \$17,000 exists in that account. The grant-match reserve has already been committed to an MVP program in FY20 and FY21, she explained.

Kevin noted that the undesignated fund balance is a rainy day fund and that it's pouring out. He suggested the funding could be considered a local stimulus package: staff will spend it locally, so keep them working. Both Bill and Michele agreed that using undedicated funds to keep FRCOG operational made sense. Linda felt it was premature for the committees to make a motion, as it is hard to know what the status of the region will be a month from now. Committee members agreed, some feeling the Governor's order will extend until the end of May.

Linda asked if the group felt the investment of general fund monies should be extended to departments with a lack of work (FCCIP Inspectors, for example) as well as to those with too much work (CPHS, Emergency Prep), or if department heads should begin to schedule FCCIP reductions. Members reported the ways in which their municipalities were responding to the pandemic: by staggering office days and work at home, or reporting to the office out of necessity, with no high-speed internet access. No municipalities represented had laid off or reduced the hours of employees.

Phoebe wondered if the FCCIP inspectors could provide code enforcement back up for the CPHS health inspectors, inspecting such things as required plastic shields for cashiers. Michele suggested inspectors might assist the emergency prep crew with implementing the governor's orders regarding social distancing, particularly as it relates to construction. Bill approved of the idea of retaining inspectors' hours, and filling their time with COVID-related tasks, if necessary, particularly when there's some overlap with areas of expertise. Linda said she will meet with department heads to discuss inspections work used to shore up other programs, but added that it won't help with the deficit.

The committee discussed ways for the Council to meet and vote -- remotely or through some hybridized approach. Because the financial discussion is complex, likely engendering many questions, which could be a challenge to address in a meaningful way remotely, consensus was to postpone next week's meeting. Members asked staff to distribute to the full Council a document outlining the financial and staffing issues that have arisen with COVID-19, and indicating the need to eventually meet and vote on a funding allocation when it is possible and appropriate to do so. As Council chair, with authority to declare meeting dates, Michele suggested the end of May or beginning of June might be best.

In another matter, Linda reported that staff will produce a more condensed version of the *FRCOG Annual Report* this year and only deliver e-copies to stakeholders, rather than risk possible corona exposure through hardcopy mailing. If towns need hardcopies, we'll accommodate them, she said.

#### **6. Business not reasonably anticipated 48 hours in advance**

Economic Development program manager, Jess Atwood, has not received any kind of extension for the CEDS (economic development strategy) plan. FRCOG is trying to support businesses, while also working on the economic development strategy. As the region's Economic Development District board, the Executive Committee must endorse the plan by June.

**Bill made a motion to adjourn the meeting. Kevin second the motion, which passed with all in favor. The meeting adjourned at 6:27.**

#### **Documents Distributed:**

- Agenda
- Draft minutes of the January 9, 2020 meeting
- *FRCOG COVID-19 Response and Impacts*, memo from Linda Dunlavy, dated April 9, 2020
- *Proposal for Organizational Assessment Project*, Community Paradigm Associates, dated 3.15.20.