



Franklin Regional Council of Governments

Executive Committee

MINUTES

Date & Time:	Thursday, February 10, 2022, 5:00 p.m.
Location:	Meeting held with video conferencing technology
Facilitator:	Bill Perlman, Chair

Executive Committee Representatives Present:

- Bill Perlman, Regionally Elected
- Kevin Fox, Council Appointee
- Roxann Wedegartner, Council Appointee
- Jay DiPucchio, Regionally Elected (5:03 p.m.)
- Julia Blyth, FRPB representative

Staff Members:

- Linda Dunlavy, Executive Director
- Rebekah Boyd, Admin Services Coordinator
- Claire McGinnis, Finance Director
- Kim MacPhee, Land Use Program Manager
- Peggy Sloan, Planning Director
- Phoebe Walker, Dir, Community Services
- Meg Ryan, Public Health Nurse

1. Review and adopt 1.13.22 Executive Committee meeting minutes

Chair Bill Perlman convened the meeting at 5:00 p.m.

Julia moved adoption of the 1.13.22 minutes. Kevin seconded the motion, which passed unanimously, by roll-call vote.

2. Consider candidate for appointment to the Franklin Regional Housing & Redevelopment Authority (FRHRA) Board of Commissioners

The FRHRA asked the committee to consider Turners Falls' Andrew Bresciano, a Greenfield Savings Bank employee, for appointment to its board. Linda described the current make-up of the board and members agreed that Mr. Bresciano would be a good addition.

Jay moved appointment of Andrew Bresciano of Turners Falls to the (FRHRA) Board of Commissioners. Kevin seconded the motion, which passed with all in favor by roll-call vote.

3. Review, discussion, and potential vote on the agreement in principle document addressing recreational facilities related to the FERC relicensing of the Northfield Mountain Pumped Storage and Turners Falls Hydroelectric facilities

Peggy Sloan referred the Executive Committee to the memo that summarized the key points of the Agreement in Principle (AIP) document, which is based on negotiations with hydroelectric relicensure stakeholders, and which seeks to address additional protection, mitigation and enhancement measures related to recreation at the facilities. The other stakeholders include the towns of Northfield, Gill,

Erving, and Montague — affected by the operations — as well as federal, state, and regional organizations representing recreational interests.

The recreation AIP is the first step towards negotiating a final settlement agreement. AIP meetings that FRCOG has attended only addressed recreation. Other stakeholder groups have focused on fish passage and stream flows, whitewater flows, and cultural resources. Each group will develop an AIP reflecting their negotiations. FRCOG staff were not invited to participate in the other negotiating groups. However, parties that sign onto an AIP will take part in future meetings to create the final settlement agreement addressing a broad set of issues.

Key recreation AIP points are as follows:

- Parties signing acknowledge that the final settlement agreement must include other material items that have not been agreed upon, including erosion.
- The different AIPs addressing various issues will provide a framework for the parties to negotiate a final agreement, which FirstLight hopes will be comprehensive.
- The recreation AIP is not legally binding and if it does not culminate in a final settlement agreement, it becomes null and void.

The recreation AIP calls for additional recreation improvements to be provided over the term of the new license. These include paddle access campsites; a handicapped accessible dock; pocket parks; a trail and permanent conservation of a meadow; improvements to a put-in area; a viewing platform; annual Americans with Disabilities Act assessment of all recreation buildings, and implementation of applicable improvements; establishment of an advisory group that will meet annually to discuss recreation use, and operation and management needs; and submission of a recreation management plan, as part of the settlement agreement, to be revisited/reevaluated every 10 years.

The initial Recreation Management Plan offered by FirstLight was not well received, Peggy reported, but the current iteration is a significant improvement. She added that because it is a 40- to 50-year relicensing agreement, it's important that stakeholders have many significant recreation improvements included in the plan. The final settlement agreement that addresses all the issues, and any other related agreements negotiated in the future by AIP parties, would be subject to the formal review and approval of the FRCOG Executive Committee as well as select boards, boards of directors, and so on. This allows all of the parties to review and determine if all parts of the final agreement are acceptable.

Kimberly Noake-MacPhee agreed that while stakeholders have much work ahead — on invasive species management, historic properties management, erosion mitigation, and traditional cultural properties protection — the recreational AIP is a small, but important step in the right direction. Peggy explained that if the Executive Committee agrees to having the FRCOG sign the draft recreation AIP, she and Kimberly will then participate in negotiations to draft the final settlement agreement that addresses all areas of concern. Peggy explained that before joining the stakeholders group to work with FirstLight, FRCOG staff were required to sign non-disclosure agreements, and that future Comprehensive Settlement Agreement discussions will likewise be subject to a non-disclosure agreement.

Bill expressed his frustration with the nondisclosure agreement and FirstLight's process, adding that though he is ready to sign the recreation AIP, he is also eager to have staff involved in discussions regarding erosion mitigation, dry canals, fish ladders, and so on. Peggy reported that staff hope state and federal agencies responsible for protecting fish and wildlife will be requiring minimum flows to restore habitat, and that the MA Department of Environmental Protection consultant can review and refute FirstLight's assertion that their facilities don't contribute to erosion. The state 401 Water Quality Certificate permit process provides an opportunity for erosion mitigation measures to be identified and incorporated into the permit, and FRCOG staff and stakeholders will continue to advocate for this. Additionally, staff would like to see minimum water levels and maximum water level fluctuation addressed. Jay, Julia, and Roxann also agreed to have FRCOG sign the AIP so that staff can continue to advocate for the region. Jay recommended that FRCOG staff bring forward issues discussed in this meeting to the process.

Jay moved to authorize Executive Director Linda Dunlavy to sign the recreation AIP on behalf of the FRCOG. Kevin seconded the motion, which passed with all in favor by roll-call vote.

4. Age-Friendly Community Planning update

Cooperative Public Health Service (CPHS) nurse, Meg Ryan presented a slideshow on the Age- and Dementia- Friendly Communities Movement, and the CPHS's efforts to support Franklin County municipalities endeavoring to enroll in the program. Towns engaged in the process are planning for and implementing community improvements that celebrate seniors, that accommodate the physical and mental changes of community elders, and that enhance their lives. The goal of the program is to move towards community age-friendliness by making advancements in senior housing, transportation, social participation, respect and social inclusion, civic participation and enjoyment, communication and information, community support and health services, and outdoor spaces and buildings. Twenty county municipalities are enrolled in the program currently, and three more are in process.

The Executive Committee was pleased to hear that Franklin County was expanding its participation in the initiative, and discussed funding and other challenges for towns seeking to become age-friendly.

5. Business not reasonably anticipated 48 hours in advance of meeting

Fraud

Claire reported that one FRCOG bank account has been the subject of repeated fraud attempts. Fortunately, the bank has good security tools and FRCOG has no loss. Staff are working with the Greenfield PD; are in the process of adding additional banking security; will transfer our vendors to electronic funds transfer (EFT) as possible; and are considering closing the account.

COVID After Action Report (AAR)

Linda announced that Ardent Consultants soon will be ready to share publically the COVID pandemic AAR — their analysis of the FRCOG's regional response. If the report is to go to the Council, Linda noted the need for changing the meeting date, as the consultants are unavailable on April 21. Consensus was that the Council meeting was the appropriate place for a public reveal of the report, and the committee hoped for a date change to April 28. The Executive Committee will get a to review it in advance of the Council meeting

Legislative Update:

- The state retirement legislation has not yet moved out of committee, despite a Feb 2 deadline.
- Linda is working with legislators and MassDOT to move expansion of passenger rail forward. Creation of a Passenger Rail Authority that would oversee the operations of existing and potential passenger rail lines serving MA is being considered. This would require development and passage of legislation. The FRCOG will likely take a leadership role in moving this effort forward.
- Linda and the Rural Policy Advisory Commission are working with the Rural Caucus to be sure that rural areas gets adequate American Rescue Plan Act (ARPA) funding. The RPAC is also developing a rural issues briefing for gubernatorial candidates. She will also ask candidates if they would be willing to come to a local public event to discuss issues unique to rural municipalities.

Roxann moved committee adjournment. Julia seconded the motion, which passed unanimously by voice vote. Bill adjourned the meeting at 6:19 p.m.

Documents Distributed:

- Agenda
- Draft 1.13.22 Executive Committee minutes
- Andrew Bresciano appointment request letter & resume
- Memo from Peggy Sloan re: *FERC Relicensing Agreement in Principle to Develop a Settlement Agreement*, dated Feb 8, 2022.
- *DRAFT Agreement in Principle to Develop a Relicensing Settlement Agreement*
- *Age- and Dementia- Friendly Communities Movement* slideshow

Minutes taken by Rebekah Boyd.