



**APPROVED MINUTES
NASHUA REGIONAL PLANNING COMMISSION
Executive Committee
Augusts 16, 2015**

Present:	Janet Langdell
Dave Hennessey, Chair	Susan Ruch
Mike Fimbel, Vice Chair	Tom Young
Karin Elmer, Treasurer	
Jim Battis	Absent:
Dan Kelly	Sarah Marchant

Staff: Tim Roache, Executive Director
Jennifer Czysz, Assistant Director

1. Call to Order:

Hennessey called the meeting to order at 6:00 pm.

2. Business

a. Minutes – July 15, 2015

The Executive Committee reviewed the minutes from the June 17, 2015 meeting. Amendments identified included grammatical corrections and a clarification that paper based public input alternatives are intended to accommodate the non-computer using public. Motion to approve the minutes as amended by Battis, seconded by Young. The motion passed 6-0-2.

b. June/July Dashboard and Financial Reports

Roache reviewed the most recent Dashboard and noted that current balances could support approximately two to three months of operating funds. Much of the activity in the last month has been focused on the pipeline. Hennessey spoke as the Commission Chair at the FERC scoping session in Nashua at which time he asked for an extension on the public comment period. Additionally, staff has done a significant amount of grant writing totaling about \$165,000 if all were to be funded. Czysz expounded on the HNH*foundation* grant application that would support GIS efforts to map local recreation sites and assess access to those sites as well as create a guidebook for municipalities looking to either make their local land use regulations more park and playground friendly or help with the planning or construction of a new facility. Roache gave some additional insight on the NH Charitable Foundation application for a Renewable Energy “Tool-Belt” that would help municipalities assess appropriately scaled and cost effective renewable energy options.

Traffic has been up on the website. Roach said we are looking to update the website’s imagery and information. Live Maps usage however is down. Hennessey predicted there will be additional usage coming from the Realtor community. NRPC is in receipt of new route data from KinderMorgan, however there may be forthcoming changes to the data. As a result, Roache is debating at what point to publish the data within Live Maps. Langdell noted that it wouldn’t be effective for NRPC to spend time and funds to publish information that is inaccurate or going to change.

Roache discussed the profit and loss and balance sheet for fiscal year 2015, which won't be officially closed out until the audit is complete. The June profit and loss shows that NRPC billing was heavily dependent on NHDOT during June. The summer interns helped us to bill out the FY 2015 DOT contract and accomplish a significant amount of work this summer. Legal expenses remain as expected. Kelley asked about the funds that NRPC still owes DOT as part of the indirect rate cost settling up process from FY2011/2012. DOT has not yet invoiced for those funds. Roache also noted that we are working on our indirect rate negotiations with NHDOT for fiscal years 2016 and 2017. Current estimates show holding constant at the current rate of 125%.

Elmer made a motion to accept and place the report on file, second by Langdell. The motion passed 8-0-0.

3. Energy Facilities Advisory Committee Update

NRPC's request for extended comment period has been accepted; the date is yet uncertain but likely will be beyond mid-September 2015. Roache noted that the BIA had been invited to speak to the EFAC, however, their director was injured and unable to attend. He has instead offered to take questions remotely. Roache is compiling a list of questions to send to the BIA. The full Committee requested to receive the response from the BIA.

Hennessy noted that his hope at the next Commission meeting is that the Commission will adopt the position paper drafted by the EFAC. Since the presentation of the draft report in June, there has been a significant amount of new information received and additional research completed. Hennessy further recommended that perhaps there needs to be a hearing. Ruch suggested holding a separate information session in advance of the meeting or hearing. The goal is to give Commissioners more time to discuss and act on the recommendation. Langdell asked if staff have acted on the recommendations made by the Committee. Roache said that staff has created a small paper based survey asking residents what their concerns are with the pipeline. Additionally, Langdell noted that there needs to be a highlight sheet that summarizes critical points and changes to the report since the last Commission meeting. Roache drafted the resolution as a way to give Commissioners something straight forward to react and respond to.

Roache spoke to the draft *Studies and Information Requested as Part of the Environmental Impact Statement* document distributed to the Committee. This document was developed by the Regional Planning Agencies in New Hampshire and Massachusetts. It is intended to highlight information still needed and deficient within the draft Environmental Impact Statement. These would be submitted as technical comments to the FERC.

Kelly asked what data or information Roache was still waiting to receive from BIA. Roache noted that EFAC had heard from a variety of stakeholder groups, but had not heard from the business community. To be impartial and balanced this voice was needed to complete the research process.

Roache discussed the draft resolution. Langdell noted that the resolution should reference White Paper by name directly. Ruch said the resolution as drafted is very thorough and added that the resolution should also include the specific statutory reference relative to promoting the orderly development of the region and state that the pipeline as proposed conflicts with those provisions. Langdell said we may want to consider sending a full hardcopy of the September

Commission meeting packet to members to ensure all have a chance to read the materials in advance of the meeting. Ruch again suggested holding a separate information meeting to present the information and findings developed by the EFAC and update commissioners in advance of the Commission meeting.

Roache noted the one thing we need to keep in mind is that this is the pre-filing. There will still be another public comment period after the Environmental Impact Statement is filed. Hennessey suggested holding the information night on September 9th or if that doesn't work, perhaps at 4 PM on the 16th. Langdell offered an additional backup plan in the event the public comment period was extended to the end of October. If that were the case the Commission meeting on September 16th could serve as the informational presentation and then call a special Commission meeting on the 3rd Wednesday of October.

Battis suggested a correction to the second page, second bullet, of the draft resolution. He suggested Roache request staff check if the pipeline does in fact cross the stratified drift aquifer in all towns, particularly Hudson, where there may not be an aquifer at proposed pipeline.

4. Title VI Plan Adoption (Motion)

Czys gave a brief overview of the Title VI Plan. As a Metropolitan Planning Organization, NRPC is required to have in place a Program consistent with Title VI of the Civil Rights Act and U.S. Department of Transportation non-discrimination regulations. The objectives are to ensure that transportation services in the region are provided without regard to race, color or national origin; to identify and engage underserved populations; prevent discrimination; and ensure meaningful access to those with limited English proficiency.

The Title VI program includes a section that describes the region's population and relationship to existing transportation projects programmed in the Transportation Improvement Plan and Metropolitan Transportation Plan. The document also includes public participation objectives for minority and limited English populations, requirements for any sub recipients of federal funds, administrative requirements, and complaint procedures and forms.

Additionally, NRPC is required to establish a Disadvantaged Business Enterprise (DBE) Program NRPC proposes to adopt, by reference, NH DOT's DBE program as it has an existing system in place to certify DBE contractors.

Ruch noted that at least one Massachusetts state agency operates a language bank that is working to translate many documents. She acknowledged the importance of having this information available and a policy in place for the region.

Ruch made a motion to adopt the Title VI, Environmental Justice, and Disadvantaged Business Enterprise Programs Plan and associated Title VI Complaint Procedures, second by Langdell. The motion passed 8-0-0.

5. Strategic Planning Discussion

Hennessey, noted that it is important to regularly take time to look at the strategic plan and review any updates or modifications that may be needed. Roache noted that the meeting packet includes where the Strategic Plan was left off with Diers. Further he identified a few points that have changed since the document was last updated and areas for improvement. For

example, we need to improve communications between Commissioners, TTAC members and local Planning Boards. Langdell suggested that the TTAC agenda packet also be sent to the NRPC Commissioners as an information only item.

Hennessey suggested a half day or full day session at least by the Committee if not including the Commissioners. Ruch noted we need to work on better engaging the full Commission. Hennessey also noted that the session should be facilitated by a neutral party off site and possibly include key staff. Ruch suggested inviting the staff for the first half of the day. Fimbel suggested inviting Commissioners from the communities not represented on the Executive Committee to ensure all 13 communities are represented at the strategic planning retreat.

This will be on the agenda for the September Executive Committee meeting all should thinking about possible venues and facilitators.

6. Update on NRPC Retirement Plan

Roache updated the Committee on progress. NRPC has received the Compliance Statement from the IRS. The next step is to adopt a resolution to correct the NRPC retirement plan (Corrective Amendment to the NRPC Retirement Plan). These are the housekeeping steps that NRPC must take place to be in full compliance and include a clarification of the plan terms to be fully compliant with IRS regulations for 401(a) retirement plans. Additionally, the Corrective Amendment requires NRPC to distribute any past excess contributions to affected participants and adjust the contribution levels to be in compliance.

Elmer made a motion to approve the Corrective Amendment to the NRPC Retirement Plan, second by Fimbel. The motion passed 8-0-0

FIMBEL excused himself and departed the meeting early.

7:40 pm: Elmer made a motion to enter into nonpublic Session per RSA 91-A:3, II(a) to consider or act upon “the dismissal, promotion, or compensation of any public employee...” seconded by Dan Battis. Roll call vote:

Karin Elmer - yes	Dave Hennessey- yes
Dan Kelly - yes	Tom Young - yes
Susan Ruch - yes	Jim Battis – yes
Janet Langdell – yes	

Elmer made a motion to exit nonpublic Session at 8:05pm seconded by Ruch. Member Roll call vote:

Karin Elmer - yes	Dave Hennessey- yes
Dan Kelly - yes	Tom Young - yes
Susan Ruch - yes	Jim Battis – yes
Janet Langdell – yes	

Ruch made a motion to seal the minutes of the non-public session seconded by Elmer. Roll call vote:



Karin Elmer - yes
Dan Kelly - yes
Susan Ruch - yes
Janet Langdell – yes

Dave Hennessey- yes
Tom Young - yes
Jim Battis – yes

7. Other Business

The Committee discussed progress to reappoint Commissioners from all communities. Roache noted that he's been in contact with all communities and making great progress.

Next meeting will be September 16, 2015.

8. Adjourn

Motion to adjourn was made by Langdell with a second by Battis. The motion passed 7-0-0. The meeting adjourned at 8:10.