BERKSHIRE REGIONAL TRANSIT AUTHORITY
MEETING OF THE ADVISORY BOARD

August 28, 2025
4:00 PM
BRTA Intermodal Transportation Center, Second Floor Board Room, 1 Columbus Avenue, Pittsfield, MA 01201

ADVISORY BOARD MINUTES

Berkshire Regional Transit Authority Advisory Board Members Present:
Sarah Fontaine, Adams; William Elovirta, Becket; Ray Killeen, Cheshire; Melanie Vicneire, Egremont; Mary Reilly, Lanesborough; Mindi Morin, Lenox; Sherry Youngkin, New Ashford; Sandra Lamb, North Adams; Mayor Peter Marchetti, Pittsfield; Rene Wood, Sheffield; Brian O'Grady, Williamstown; and Douglas McNally, Windsor.

Berkshire Regional Transit Authority Advisory Board Members Absent:
Charles Ketchen, Alford; Ron Boucher, Clarksburg; John Boyle, Dalton; Joan Lewis, Florida; Phillip Orenstein, Great Barrington; James Rodda, Hancock; Margaret Gregory, Hinsdale; Andrea Wadsworth, Lee; Frank Abbott, Monterey; Keith Torrico, Mt. Washington; Stuart Lawrence, New Marlboro; Brandi Page, Otis; Verne Leach, Peru; Alan Hanson, Richmond; Justin Kaczowski, Savoy; Jamie Minacci, Stockbridge; Stephen Deloye, Washington; Andrew Potter, West Stockbridge; and Brian Morrison, Rider Representative.

Also, **present:** Robert Malnati, Sarah Vallieres, Kaylyn Hunkler and Barbara White, BRTA; Accem Scott; BTM, Patti Annechiarico, Anuja Koirola, BRPC; and Breanna Steele; iBerkshires.

	Voting Shares	Present	
Adams	2.76	2.76	
Alford	1.00	0.00	
Becket	1.08	1.08	
Cheshire	3.66	3.66	
Clarksburg	1.00	0.00	38.50 needed for quorum.
Dalton	2.47	0.00	47.99 when called to order
Egremont	1.02	1.02	
Florida	1.00	0.00	
Great Barrington	3.69	0.00	
Hancock	1.00	0.00	
Hinsdale	1.29	0.00	
Lanesborough	2.29	2.29	
Lee	3.55	0.00	
Lenox	4.42	4.42	
Monterey	1.02	0.00	
Mt. Washington	1.00	0.00	
New Ashford	1.07	1.07	
New Marlborough	1.00	0.00	
North Adams	6.15	6.15	
Otis	1.00	0.00	
Peru	1.04	0.00	
Pittsfield	20.93	20.93	
Richmond	1.00	0.00	
Savoy	1.00	0.00	
Sheffield	1.05	1.05	
Stockbridge	2.95	0.00	
Washington	1.00	0.00	
West Stockbridge	1.00	0.00	
Williamstown	2.52	2.52	
Windsor	1.04	1.04	
Rider Representative	1.00	0.00	
Disability Community	1.00	0.00	

1) **ROLL CALL**

D. McNally called the Advisory Board Meeting to order at 4:00 PM stating this meeting will be recorded for the purpose of the notes for the Board Minutes.

2) **MINUTES OF AUGUST 7, 2025, MEETING- VOTE**

R. Wood made a motion to accept the minutes for the August 7, 2025, meeting. B. Elovirta seconded the motion. R. Kileen wants to add to these Minutes, in his opinion, there was no intent to exclude anyone from the meeting. The minutes of August 7, 2025, were approved with the abstention of S. Fontaine and R. Wood.

3) **ADMINISTRATORS REPORT**

R. Malnati reported that BRTA for Borrowing FY26, TD Securities purchased the $5.7M note at 4.0% and a Net Interest Charge of 3.4134%. This occurred in July and was competitive throughout the RTAs. The Auditors sent the Draft Financial Statements to review. The Finance Committee will review the Financial Statements with the Auditor next month. The Draft Financial Statements will be included as a voteable agenda item at the September Board Meeting. Once voted upon, they become final, submitted to MassDOT, and posted to the BRTA website. BRTA had an auction on surplus vehicles and equipment taken out of service and are expected to net about $40,000. There was one item that exceeded $10,000, so money will be sent to FTA. The rest of the funds will be spent on transit-related items. At the end of last fiscal year, funding was spent on blacktop repair at the Maintenance Facility and paratransit vehicles were received. BRTA applied for buses from the FTA Low No grant. The HVAC replacement solicitation for the ITC was issued.

4) **UPDATE ON OPEN MEETING LAW COMPLAINT R. WOOD 07/22/2025**

R. Malnati discussed the timeline regarding the Open Meeting Law (OML) Complaint from 8/7/25-present. He shared that at the BRTA Advisory Board meeting held on August 7, 2025, the Open Meeting Law Complaint was discussed. Right after that meeting at 5:06 PM, he sent emails to the entire Board with the Administrator candidate information, search committee handout with proposed timeline, and 2 summary documents to assist with the review of the candidates. At 5:26 PM, the Administrator emailed the entire Board, the current BRTA Bylaws and instructions to submit suggested edits to the Bylaws by close of business on August 13, 2025, to be included in the Advisory Board Packet for the Board meeting on August 28, 2025.

On August 8, 2025, the Administrator emailed legal counsel the OML complaint and draft extension letter. He emailed the complainant, requesting a virtual meeting to discuss the complaint. He emailed the Division of Open Government requesting a response extension.

On August 11, 2025, he coordinated a TEAMS meeting with Legal Counsel, BRTA Chair, Complainant, and Administrator for August 12, 2025, at 1 PM. This meeting was postponed to August 14, 2025, at 1 PM. He emailed the complainant the letter outlining the remedial action taken to date and the original complaint.

On August 12, 2025, the Administrator attended the OML training session with email certification and received an email notification that the extension was granted by Division of Open Government. He emailed the entire Advisory Board the unique identifier codes for the Administrator candidates with instructions to send rankings and responses to K. Hunkler before 12 on August 22, 2025.

On August 14, 2025, there was a virtual meeting between Counsel, BRTA Chair, Complainant, and Administrator at 1 PM. Progress was made to satisfactorily respond to the complaint. At 2:55 PM, an email was sent to the entire Board with a unique candidate identifier code with the Administrator response received after the posted deadline. At 8:31 PM, an email was received from the Complainant stating, “We addressed all of the issues, and I believe came up with a resolution acceptable to all of us”. R Wood stated “we had to follow up to get a resolution that was acceptable to all. The complaint has not been closed. We are in the resolution completion process. I am very pleased.”

R. Malnati discussed there is a plan to resolve the 4 issues of the complaint. Entire Advisory Board received all applicants to review for the Administrator's position. The Advisory Board is reviewing and updating the BRTA bylaws that are on this agenda. The last Board meeting satisfactorily addressed where to find the posted minutes and agenda on the BRTA website. The requirement for the Administrator to attend OML training has been completed. Counsel has said that she could conduct training for the entire Advisory Board. There is a discussion on making the Board Minutes and Agenda more accessible on the website.

D. McNally reiterated having Counsel provide a free in-person training for the Board members. R. Wood informed the Board that Counsel from KP Law has a background in transit and just finished revising bylaws for another transit authority in the state. B. O'Grady shared he created an error by accident. On the 8/13/25 email, he accidentally responded to the entire Board instead of to R. Malnati only and it was not intension to of deliberation.
R. Malnati remarked he will put a copy of the email in the minutes of today's meeting.

5) **OPEN MEETING LAW COMPLAINT ACTION - VOTE**

R. Wood made a motion to approve the Open Meeting Law Complaint Action and accept the action plan. M. Morin seconded the motion. All stated aye and the Open Meeting Law Complaint Action was unanimously approved.

6) **BRTA BY LAWS DISCUSSION**

R. Malnati remarked included in the packet are the 4 items received from Advisory Board Members before the 8/13/25 deadline. He shared Legal Counsel from KP Law has revised another Massachusetts RTA's bylaws. KP Law showed interest in reviewing BRTA bylaws with the Board suggestions and then bring them back to the Board to vote on. R. Malnati mentioned the ad hoc committee, changing committee name to Finance and Audit from Budget, as had been discussed. There is funding in our current budget if we were to have the counsel review and then come back with recommendations.

7) **BRTA BY LAWS UPDATE - VOTE**

R. Wood made a motion to have the first draft of the bylaws done by KP Law at an expense not to exceed $2,500, the quoted price. M. Reilly seconded the motion. All stated aye and the BRTA By Laws Update by KP Law were approved. R. Wood asked to be added to the Bylaws if the Board would consider adding a representative from BRPC, as a nonvoting member to the advisory committee. R. Malnati said he would add this suggestion in.

8) **IMPLEMENT BY LAWS CHANGE – VOTE**

No vote, see BRTA By Laws Discussion and BRTA By Laws Update discussed above.

9) **OPEN MEETING LAW TRAINING COMPLETION EMAIL**

R. Malnati stated to send or give, the signed completed open meeting law document (2 papers) in the packet, to K. Hunkler. The next training course is listed as September 25th.

10) **ADMINISTRATOR CANDIDATE REVIEW**

D. McNally shared the discussion with counsel regarding the applicants being reviewed during Open Session. We are using non-name identifiers and will share the ranking data in that format at this meeting.
K. Hunkler gave a presentation, using excel, on the ranking process tallied from the Board using the unique identifier of applicants. She showed the number of times candidates were in the top 3, how often in top 5, and additional information. The answer was clear. B. Elovirta asked who was the first-place identifier number? K. Hunkler remarked the order is candidate F, candidate H, candidate 7, and candidate 3. D. McNally said after the top 4, there is a radical drop off and not to be unexpected. Several board members provided a summary of their references, others gave opinions, and who they personally thought would be beneficial for the position. This included discussion of some of the top candidates. D. McNally remarked we must decide today what the next steps are. There was discussion on the format of the interview process to which it was determined to have 1 person read the interview questions created by the Board and have 2 meetings for the

interviews. The second day, there will be time allowed at the Board meeting for discussion on who to make the job offer to. It was decided to have these Board Meetings in person on Sept. 8, 2025, and September 9, 2025. Questions for this interview should be sent to K. Hunkler by 9/3/25.

11) ADMINISTRATOR CANDIDATE – VOTE

S. Fontaine made a motion to approve the process of interviewing the top 4 highlighted candidates. R. Wood seconded this motion. All stated aye and the candidate interviewing process for the top 4 candidates was approved. The discussion continued with the dates and times of the interviews. The results of the discussion with board members on interview dates are:

Monday, September 8th, 4 PM to 5:30 PM
Tuesday, September 9th, 4 PM to 6 PM

12) UPDATES TO PTASP – VOTE

R. Malnati explained the only changes made to the Public Transportation Agency Safety Plans (PTASP) document were highlighted and listed on page 2. It changed the GM name to Bobby Quintos and included the specific reports on safety procedures. These updates were voted on by the BRTA Workplace Safety group and approved. This is the annual review for the BRTA Advisory Board and will be sent to BRPC with the 5-year targets for FY 21-25.

R. Wood made a motion to approve the updates to PTASP. R. Killeen seconded the motion. All stated aye and the updates to PTASP were unanimously approved.

13) NEXT MEETING DATE

R. Malnati reminded the next Advisory Board Meeting to interview candidates will be September 8, 2025 and September 9, 2025, at 4 PM.

R. Malnati scheduled the next traditional Advisory Board Meeting on September 25, 2025, at 4 PM.

14) ADJOURNMENT

R. Wood made a motion to adjourn. B. Elovita seconded the motion and was unanimous. The BRTA Advisory Board Meeting ended at 4:59 PM.

MEETING MATERIALS

BRTA Advisory Board Packet 8/28/25
OML Guide 2025
OML Signoff Sheet

Town	2) Minutes of August 7, 2025, Meeting - VOTE	5) Open Meeting Law Complaint Action- VOTE	7) BRTA By Laws Update - VOTE	8) Implement By Laws Change – NO VOTE	11) Administrator Candidate - VOTE	12) Updates to PTASP - VOTE	14) Adjournment
Adams	Abstained	Yes	Yes		Yes	Yes	Yes
Becket	Yes	Yes	Yes		Yes	Yes	Yes
Cheshire	Yes	Yes	Yes		Yes	Yes	Yes
Egremont	Yes	Yes	Yes		Yes	Yes	Yes
Lanesborough	Yes	Yes	Yes		Yes	Yes	Yes
Lenox	Yes	Yes	Yes		Yes	Yes	Yes
New Ashford	Yes	Yes	Yes		Yes	Yes	Yes
North Adams	Yes	Yes	Yes		Yes	Yes	Yes
Pittsfield	Yes	Yes	Yes		Yes	Yes	Yes
Sheffield	Abstained	Yes	Yes		Yes	Yes	Yes
Williamstown	Yes	Yes	Yes		Yes	Yes	Yes
Windsor	Yes	Yes	Yes		Yes	Yes	Yes