



**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF NEW MARLBOROUGH  
OFFICE OF THE BOARD OF SELECTMEN  
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**Michele Shalaby, Chair  
Nathaniel H. Yohalem  
Tara B. White  
Board of Selectmen**

**Minutes of Selectmen's Meeting  
Monday, November 9, 2015  
6 p.m.**

**Board Members Present:** Michele Shalaby, Chair  
Nathaniel Yohalem  
Tara B. White

**Others Present:** Mari Enoch, Town Administrator  
Sharon Fleck, Administrative Secretary  
Tom Stalker  
Richard Long  
Prudence Spaulding

**The meeting of the Board of Selectmen convened at 6:05 p.m. The minutes were read. A motion was made, seconded and so voted to hold the minutes of the November 2, 2015 meeting.**

**Equipment Rental**

**A motion was made, seconded and so voted to award the equipment rental bids to J. Wilkinson, including the chipper and labor, and to award the tree work to John Fields.**

**Umpachene Falls**

After meeting with the DOT regarding "Bridge Scoping," of the Umpachene Falls Bridge, it was agreed that the Board of Selectmen's request that the bridge should remain in character with the landscape, preserving the wooden bridge and community park atmosphere.

**Treasurer's Position**

Two candidates (Denielle Delaney-Morin and Mark Schooley) were interviewed for this position.

**A motion was made, seconded and so voted to offer the position of Treasurer to Denielle Delaney-Morin at a rate of \$18/hour for 17-18 hours per week with no**

**benefits and with the commitment to be willing to train for certification. Tara White abstained from this vote.**

### **Assistant Treasurer**

Assistant Treasurer, Kathy Chretien, will continue to support the Treasurer. Kathy's rate of pay for this position will be \$17/hour for approximately three hours a week and will be retroactive for two weeks.

**A motion was made, seconded and so voted to approve a \$17/hour rate for the position of Assistant Treasurer, to be paid out of the Treasurer's Assistant budget. Tara White recused herself from this vote.**

### **Board of Selectmen Email Accounts**

The Board of Selectmen agreed that two email accounts will be established with Virtual Town Hall for Nat Yohalem and Michele Shalaby.

### **Broadband Update**

Nat Yohalem and Michele Shalaby attended a meeting hosted by Wired West on Friday, November 6 in Becket. Also attending were two representatives from MBI, Chris Hatch, Counsel from MBI, Chairman of the Board of Selectmen of Tolland, and a representative from the Finance Committee of Sandisfield. Nat reported he had concerns about the operating agreement, presented by Wired West:

Each of the Towns would convey its entire system to Wired West in exchange for an ownership interest which would be determined by the amount of the financial contribution of each town, i.e. New Marlborough's contribution would be \$4.73 million or approximately 6%, not including fees for counsel, financial advice, etc. The first largest contributor would be Becket followed by New Marlborough. The total estimated cost of the build is \$76,800,000. Nat's concern is that the Town has no interest in any other Town's interest. If there is a problem with Wired West, i.e. bankruptcy, the creditors would own the Town's system. Nat suggested a licensing or lease agreement, however, Wired West opposed that suggestion. The MBI representative stated that this agreement has not been approved by MBI.

It was stated at the meeting that the effective date would be January 9, 2016; however, New Marlborough's Town Meeting isn't scheduled until April 2016. It had also been stated that the original signers to the agreement would dictate the terms to later signers. Nat stated that everyone should be on the same terms and the effective date should be June 30, 2016 to which MBI agreed to consider.

Each town would appoint a representative, who will elect a Board of Directors, who appoint an Executive Committee, consisting of some employed personnel and some directors. Nat further stated that every town would want representatives who represent their town, not who are serving in order to get a salary. He further stated that out-of-pocket expenses should be reimbursable for directors or representatives.

Wired West would like the agreement to have a life span of 10 years, stating that it takes four years to build it, along with time to earn money in order to start making payments on the bond. It was agreed that the subscribers have a right to do what they want, so if a town wanted to withdraw, under Wired West's concept, other subscribers would still be there. However, withdrawal meant a payment under this scenario, which would be the value of a town's interest of the total value of the system. It was further agreed among the other towns to look at a withdrawal compensation (after ten years), based on an appraiser and then discount the appraisal, so that if the investment doubled, perhaps a town could financially reap what was invested initially.

There is a process for mediation and not arbitration.

Wired West is going to rework the agreement, pending comments from MBI. Counsel for several of the towns present, including Kopelman and Paige, agreed to review the agreement at no charge.

Michele Shalaby stated she felt this was to be a regional system, so the Town does have an interest in other towns' investment in the system. MBI stated, however, that they want each town to own the system.

RFI – Michele Shalaby put together a draft for review by Richard Long and Tom Stalker, stating what we currently have, and asking for alternatives/approaches that may be less expensive. The RFI will ask what else can be brought to the table by both builders and operators.

## **Personnel Policy**

**A motion was made, seconded and so voted to approve the revised Personnel Policy as set before the Board.**

The new policy will be given to all employees to read and sign.

## **FY17 Budget Calendar**

May 2, 2016 – Annual Town Meeting.

April 25, 2016 - Presentations to the Town regarding FY17 budget.

April 18, 2016 – Warrants to be posted at least a week prior to April 25, 2016.

April 11, 2016 (tentative) – Special town meeting for Broadband.

April 7, 2016 – Finalize budget.

March 17, 2016 – School budget must be adopted.

March 3, 2016 – Annual report to go to printer.

January 8, 2016 – Budgets due back to Town Administrator

December 7, 2015 – Budget requests sent to Town departments.

Town Report must be complete prior to Annual Town Meeting. Warrants will be printed separately. Mari would like the Annual Report to shift to covering the fiscal year and not the calendar year.

### **Town Administrator Updates**

The change in Transfer Station hours was discussed. The Board of Selectmen approved the hours to be changed to open one hour earlier and close one hour earlier, but not to change the days. The new hours will begin January 1, 2016.

**A motion was made, seconded and so approved to change the hours of the Transfer Station, effective January 1, 2016, but to keep the days the same.**

### **Selectmen's Updates**

Selectman, Nat Yohalem, announced the MassWorks grant award to the Town of \$1million.

The meeting for the State to take over Rt. 57 was attended by Granville, Tolland, Sandisfield, New Marlborough and Monterey. The State will be asked to take over the construction of the road; however, the Towns will maintain, plow and mow the road. The next meeting to discuss Rt. 57 will be December 2, 2015.

Michele Shalaby also reported that the Town of Tolland has office partitions that are new and are willing to give to the Town. Chuck Loring will be asked to pick up these dividers.

Michele Shalaby announced there is a meeting on November 10 among the five towns to discuss the assessment problems. This meeting will be attended by "Smitty" Pignatelli.

**Being that there was no further business to be brought before the Board, a motion was made, seconded and so voted by all members to adjourn the meeting at 8:26 p.m.**

Respectfully submitted,

Sharon Fleck  
Administrative Secretary