



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

**Minutes of Selectmen's Meeting
Monday, November 14, 2016
6 p.m.**

Board Members Present: Nathaniel H. Yohalem, Chair (by telephone)
Tara B. White
Michele Shalaby

Others Present: Mari Enoch, Town Administrator
Sharon Fleck, Administrative Secretary
Richard Long
Tim Newman
Prue Spaulding
Tom Stalker
Owen Wright
Chris Lynch, Matrix

The meeting of the Board of Selectmen convened at 6:00 p.m.

A motion was made seconded and so voted to have Nathaniel Yohalem participate via phone as he was geographically unavailable. The minutes were read. A motion was made, seconded and so voted to hold the minutes of November 7, 2016 until the next meeting.

Bids

One bid was received for the two culverts on Clayton Mill River Road. The bid came in at \$82,475.00 and the Town had only budgeted \$50,000.00. Highway Superintendent, Chuck Loring recommended rejecting the bid and will consider rebidding the project with different requirements. The bid was rejected.

One bid was received from Keith Wilkinson Excavating and Son for snow and ice removal. The bid was for a one ton pickup with a 9 foot plow at \$75.00 per hour and will be held for future consideration. This bid will be held until the next Board of Selectmen's meeting when additional information will be available regarding what surrounding towns pay for snow and ice removal.

Broadband

In its evaluation meeting of November 8, 2016, the New Marlborough Broadband Committee determined that based on its submittal to the Request for Proposal, Frontier Communications is a qualified proposer, and that Frontier's proposal earned an overall rating of Advantageous in accord with the comparative evaluation criteria. As Frontier was the sole proposer, the Broadband Committee recommends to the Board of Selectmen that the Town of New Marlborough enter into negotiations with Frontier as respects cost to the Town and other key provisions. Further, the Committee recommends that the Town engage legal counsel and select a negotiating team.

A tentative Special Town Meeting had been scheduled for Thursday, December 8; however, in view of the many unanswered questions and the necessary negotiations with Frontier, Nat Yohalem suggested the following:

1. Cancel the Special Town Meeting.
2. Set up a meeting with Frontier to negotiate terms.

Massachusetts Broadband Institute (MBI) is sending out its own RFP in on November 18, 2016.

In addition, the following must be considered:

1. Enter agreement agreeable to both parties.
2. Inclusion of grant that is satisfactory to Town.
3. Approval of Town at Special Town Meeting
4. Approval of the Home Rule Petition.
5. Frontier agrees to extend the November 30 deadline. Mutually agreeable dates will be set with Frontier for the purpose of further negotiations, which can take place in Executive Session. A Special Town Meeting will be scheduled after negotiations are completed.

A motion was made, seconded and so voted to approve Frontier as a provider of broadband services in accordance with the terms of the proposal contingent upon the following:

1. **Town receives the MBI grant in an amount and upon terms satisfactory to the Town.**
2. **Frontier enters into a mutually acceptable agreement within a time period acceptable to both parties.**
3. **The agreement between the Town and Frontier is approved at a Special Town Meeting.**
4. **If a Home Rule Petition approval is required, such approval should be obtained by a date acceptable to both parties.**
5. **Massachusetts DLS approval.**
6. **Any agreement must be in compliance with State laws.**

Additional discussion on the motion: Richard Long suggested that the Town seek legal counsel prior to the first negotiating meeting with Frontier to determine the

issues to be discussed. The Board selected members of the negotiating committee that are Richard Long, one other broadband committee member, Mari Enoch and the Board of Selectmen.

FY16 Audit Timeline

Town Administrator, Mari Enoch, advised she had spoken with Tom Scanlon and will schedule an audit for January-February 2017. Tom didn't feel the Town would be ready for an audit earlier. Accountant, Tara White, would like the audit to take place sooner so that the books can be closed; Mari will try and move the audit forward. Tara advised that Schedule A was due October 31, 2016 and was fearful that a delay would affect the Cherry Sheets. She further explained that she can't reconcile her figures with Baystate and that only the Department of Revenue or the auditor can adjust those figures. Town Treasurer, Marilyn Fraasso, will work on reconciling July, August, September and October, 2016. Mari will work with all parties in an effort to have the audit done earlier.

Joint Boards of Selectmen Meeting

A joint Board of Selectmen's meeting with Sheffield has been planned for Monday, January 23, 2017 at Sheffield at 6:30 p.m... Invitations will be sent to surrounding Board of Selectmen in an effort to interest them in Shared Services.

TOWN ADMINISTRATOR UPDATES

There was nothing to report from the Town Administrator

SELECTMEN'S UPDATES

Selectmen, Michele Shalaby, will provide the FY17 budget to the Finance Committee as a basis for the FY18 calendar.

The Finance Committee Meeting is scheduled for Thursday, November 17 at 6:30 p.m... Tara White and Nat Yohalem will attend.

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 7:30 p.m.

Respectfully submitted,

Sharon Fleck
Administrative Secretary