



**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, July 25, 2016
5 p.m.**

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

Others Present: Mari Enoch, Town Administrator
Sharon Fleck, Administrative Secretary
Barry Shapiro, Moderator
Jim Gop, Heirloom Fire LLC
Steve Klaubert, Verizon

The meeting of the Board of Selectmen convened at 5:00 p.m. The minutes were read. A motion was made, seconded and so voted to hold the minutes of the June 27, 2016 meeting and to approve the minutes of the July 11 meeting as amended.

One-Day Alcohol Permit

Jim Gop from Heirloom Fire LLC submitted a request for a one-day all alcohol permit for July 30, 2016 "An Evening in the Country" event to be held at Mill River Farm, 282 Brewer Hill Road, Mill River, MA from 5 p.m. to midnight. No alcohol will be sold but will be included in the \$175 price of admission.

A motion was made, seconded and so voted to approve the application for a one-day permit issued to Heirloom Fire LLC.

Police Contract

The Board of Selectmen agreed to increase the Police Chief's salary as follows:

FY17 \$58,140
FY18 \$62,000
FY19 \$65,000

It was agreed that the Termination Policy wording would be as follows:

“The Chief may be discharged from his job as Chief, with or without cause, upon forty-five (45) days prior written notice, in accordance with the Town’s Personnel Policy, Section XI (Discipline/Termination, dated November 9, 2015)”

A motion was made, seconded and so voted to have the members of the Board of Selectmen sign the employment contract for Police Chief, Graham Frank.

Pole Hearing

A petition was received from Verizon advising that when the Cross to Canaan Valley Road washed out, the culvert also washed out, damaging the underground phone cable. Steve Klaubert, representing Verizon, explained that two poles would have to be erected, and that all abutters have been notified. No abutters raised concerns.

A motion was made, seconded and so voted to approve the Verizon petition to put in two poles over a culvert on Cross to Canaan Valley Road to carry Verizon wires over a culvert.

TOWN ADMINISTRATOR UPDATES

Land Donation for Hadsell Street Bridge

Four private property owners are involved in the easements and land acquisitions to the Town for the purpose of reconstructing the Hadsell Street Bridge. Town Administrator, Mari Enoch, advised that the Town of New Marlborough is also a property owner. The State has also required that we donate the land from the Town of New Marlborough to the Town of New Marlborough which will require a Certificate of Donation for the 191 sq. feet.

A motion was made, seconded and so voted to authorize Board of Selectmen Chair, Nathaniel H. Yohalem, and Town Administrator, Mari Enoch, to sign the Certificate of Donation of the land from the Town to the Town.

Town Counsel has written an encroachment license agreement currently owned by Jane Tant which lies within the proposed layout of Hadsell Street. The agreement will be given to the Board of Selectmen for signature when received from Counsel.

A motion was made seconded and so voted to have the Board of Selectmen sign the Encroachment License Agreement between the Town of New Marlborough and Jane Tant.

Rock Sculptures

Dennis Irvine expressed his concern by email regarding the rock sculptures that have been erected at Umpachene Falls. He will be advised that this issue has been referred to the Umpachene Falls Park Commission, Conservation Commission and the Fish and Wildlife Commission for their review and possible follow-up.

SELECTMEN'S UPDATES

Land Trust

Nat Yohalem advised that the taxes on all Land Trust property, if not exempted, would be approximately \$9,400 per year.

State Election

The warrant for State Elections which will be held on September 8, 2016 from 7 a.m. to 8 p.m. has been signed.

MassWorks Grant for Clayton Mill River Road

A motion was made, seconded and so voted to authorize Nathaniel H. Yohalem sign the BSC Contract for an additional \$10,000 of engineering work after approval was received from Erica Kreuter of MassWorks.

A motion was made, seconded, and so voted to authorize Town Administrator, Mari Enoch, to sign the \$1,000 contract with Verizon authoring Verizon to evaluate which poles/wires will have to be moved at the Konkapot and Clayton Mill River Road intersection and to estimate the cost. (Selectman Michele Shalaby recused herself from this vote as her property is on Clayton Mill River Road,)

Umpachene Falls No Trespassing Sign

A letter was received from Elaine and Steven Mack requesting that a No Trespassing sign be erected indicating where the park ends and their property begins. Nat Yohalem has spoken to Elaine Mack that there are two signs already in place.

Transfer Station Lease

Mari Enoch and Nat Yohalem will sit down with Maurice Brazie to discuss the Transfer Station Lease of \$7,000 per year and optional renewal of lease after that.

Broadband Committee

Selectman Michele Shalaby will meet with the Broadband Committee Chair, Richard Long, regarding John Kemp's request to be on the Broadband Committee.

Southern Berkshire Regional School District Building, Grounds and Technology Committee

Nat attended a meeting with the Building, Grounds and Technology Committee where he was advised that two years ago, an account was set up for capital funding so that projects could be tracked. Approximately \$80,000 remains in the account from the last two years, \$10,000 of which was allocated for the Monterey School. Nat asked the committee if it would amend the budget thereby reducing the assessment to the five towns (roughly 21% reduction to New Marlborough). Nat will write a letter to the school Finance Committee making such a request

Municipal Small Bridge Program

Nat Yohalem advised that he, Charles Loring, and BSC are preparing a letter asking the State to exclude the provision that the bridge has to be between 10-20 feet, as the Town has three bridges longer than 20 feet in need of immediate repair.

Berkshire County Sheriff's Department

Sharon Fleck reported that the Berkshire County Sheriff's Department sent five inmates to the Town who weed-whacked around all the guardrails in Town. The Board of Selectmen will send a letter to the Sheriff thanking him and expressing the gratitude of Highway Superintendent, Charles Loring.

Clayton Mill River Culvert

Sharon Fleck advised that Stantec has provided Commonwealth Guardrail with the information it required for the construction of the concrete structure. Commonwealth Guardrail will have the bolt assembly ready for delivery to CSI in about 2-3 weeks.

Building Inspector and Zoning Board of Appeals Roles

A meeting has been set up for Wednesday, August 10, between the Building Inspector and the Zoning Board of Appeals to define their roles and process for appeals.

Preparation for Special Town Meeting

The Board of Selectmen discussed with the Town moderator, Barry Shapiro, items on the Warrant at the Special Town Meeting, which included the road layout, amendments to the Roads and Bridges salaries and Roads and Bridges Expenses accounts. Nat will announce there is an opening for a School Committee representative and papers must be filed with the Town Clerk by July 26.

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 6:17 p.m.

Respectfully submitted,

Sharon Fleck
Administrative Secretary