



**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF NEW MARLBOROUGH  
OFFICE OF THE BOARD OF SELECTMEN  
807 Mill River Southfield Road, Mill River, MA 01244-0099  
Phone: 413-229-8116 Fax: 413-229-6674 E-mail: nmbdselectmen@aol.com**

**Lawrence H. Davis, III, Chair  
Nathaniel H. Yohalem  
Tara B. White  
Board of Selectmen**

Minutes of September 10, 2012

The Meeting was opened at 6:30 PM.

All members were present.

The minutes of August 6<sup>th</sup> were accepted as amended.

The minutes of August 20<sup>th</sup> were accepted as amended. Mr. Yohalem recused from voting.

The minutes of September 1<sup>st</sup> were accepted as amended.

The Board announced it received a copy of the MassWorks grant submitted today. The requested amount of the grant is \$500,000.00. It was noted that the Board received letters of support from Nat Karns of Berkshire Regional Planning Commission, Doug Humes, First Selectman Canaan, CT; State Representative "Smitty" Pignatelli, U.S. Senator John Kerry; and Peter Marks, Highway Superintendent. The grant money would be applied towards the culvert by Canaan Southfield Road. Earlier today Selectman Yohalem talked with Tom Loughlin, the engineer from BSC group. Tom stated that Nicole had done a good job completing the application. MassWorks will notify Nicole in late October if the Town will be awarded the grant.

The Board stated it will attend a meeting Thursday, September 13<sup>th</sup> at the MASS DOT in Lenox at 10:00 a.m. to discuss additional bridges in Town. The Board stated that the total costs will be approximately 3.6 million dollars to complete the bridges. This estimate does not include Campbell Falls.

The Board received an email letter from the Army Corps of Engineers and it was forwarded to the Emergency Management Director Barbara Marchione and to Town Counsel for review.

The Planning Board members James Mullen, Patricia Hardyman, Holly Morse, and Charlie Parton appeared before the Board to discuss the protective by-law revisions. They would like to present their efforts to the voters at a Special Town Meeting. Ms. Hardyman presented an eight page power point presentation for the Board to review. The Planning Board mentioned it already met with the Board of Assessors and the revisions would not change the assessment process. The Planning Board will have public meetings and one public hearing. The Planning Board also prepared post cards for each village district. The Planning Board mentioned all of its meetings are open to the public and residents are welcome to attend. The Planning Board made the request to consider a Special Town Meeting to include the by-law revisions as one of the articles. The Board

will consider the Planning Board's request. A decision will be made after the Public Hearing and Public Meetings.

Mary Davis appeared before the Board to talk about an incident that occurred over Labor Day weekend. Also present in regards to this incident was Police Chief Scott Farrell and Prudence Spaulding, Animal Inspector. Chief Farrell informed the Board what he knew of the situation. Ms. Davis states she was traveling on Clayton Mill River Road and noticed an injured cat. She decided to pick up the injured cat (the cat had quills on it). The cat bit and scratched her. Ms. Davis had gloves on, a towel to wrap around the cat and a box to put the cat in. Ms. Davis said that she received assistance from a fellow pedestrian, the New Marlborough Police Department, and the ambulance squad. Ms. Davis decided against the ambulance since she was working and left the scene. The cat was placed in the box and left with a first responder. Ms. Davis states that she still does not know what will happen, but received a call the next day and was told the cat was dead and buried. Ms. Davis has an infection and is in the process of getting a series of rabies shots. Ms. Davis would like to request that the Town have a policy in place for any future incidents. Mrs. Prudence Spaulding, Animal Inspector would like to request that the Board write a letter to Bilmar Small Animal Clinic that any domestic animals may be brought in from New Marlborough by the dog officer, animal inspector or police department for quarantine. Mrs. Spaulding will write an article for the 5 Village News informing the public that no one should pick up an injured animal. She will also remind the public to have their animals vaccinated from rabies and to obey the leash law. A motion was made, seconded and so voted to write to Bilmar Small Animal Clinic informing it that domestic animals from New Marlborough are allowed to be quarantined at its clinic as long as they are brought in by the Police Department, Animal Control Officer or Animal Inspector.

Chief Farrell inquired if the Board had approved the detail rates yet. The Board is waiting to see the new rates. Chief Farrell will send each board member an email with the final rates.

The Board received a memo from Animal Inspector Prudence Spaulding regarding cows that continually escape on Route 183. The Board would like Town Counsel to write a letter to the owner of the cows.

Jeff Collingwood appeared before the Board with a proposal for replacement of the bridge for Clayton Mill River Road.

Being that there was no further business to be brought before the Board a motion was made, seconded and so voted to adjourn at 7:55 PM.

Respectfully submitted,



Nicole Reid  
Administrative Secretary