



**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 January 28th, 2014

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

Others Present: Michael Skorput, Administrative Assistant
Jessica Bosworth, Administrative Secretary

The meeting of the Board of Selectmen convened at 7:00 pm.

The Board read the minutes of January 13th, 2014. **A motion was made, seconded and so voted by all members to approve the minutes of January 13th, 2014.**

Planning Board

Members of the Planning Board met in joint session to review the Protective By-laws revision plan that was voted down at the Special Town Meeting in November. Going forward, the Planning Board would like to reach out to the parties that were in opposition for a better understanding of their decisions. They also plan to contact their representative from the Berkshire Regional Planning Commission to clarify legal rights with respect to future By-law amendments. Jamie Mullen, Chair of the Planning Board, shared his observations about the Special Town Meeting, expressing that there was no declaration of either support or non-support from any Town regulatory Boards, including the Board of Selectmen. He perceived the Board as being overwhelmed by the large assembly at the meeting which caused the decision to move the Planning Board's article from the end of the agenda to the beginning, and ultimately resulted in the majority of the audience leaving after their votes were cast. Mr. Mullen also voiced his concern about the fact that there was an inability for discussion on the article.

Chairman Yohalem addressed Mr. Mullen's observations, stating that the unexpected attendance was an issue of occupancy capacity for the building. The concern was discussed with Town Counsel and the Police Chief before the decision to expedite the voting process was made. The Chairman stated that he had mixed feelings about the article, mainly that it was too broad and difficult to understand. Selectman White felt that the revisions could be good for the Town and noted that many people, mostly in the rural areas, didn't understand what was being proposed. She also noted that the Use Table was an especially valuable idea and very important. Selectman

Shalaby surmised that the community was roughly split into half being in opposition to the amendments and the other half in favor. She also observed that for those opposed, a perception of loss was apparent, which created the sense of urgency to vote. She felt that the vote at the meeting wasn't necessarily a finality, but a chance to progress with more information. A discussion continued about ways to move forward with the revision plans.

Land Trust

Martha Bryan, Executive Director of the Land Trust, appeared before the Board to talk about the sale of the property on Hadsell Street. Initially a figure of \$13,300.00 was given as the selling price, but was reconfigured to \$7,091.18 after further discussion with Treasurer, Patricia Mielke. The amount includes back taxes, Town Counsel fees and adding the parcel to the tax rolls. Ms. Bryan asked for a more comprehensive breakdown of the costs to present to the Land Trust members; she will speak directly with the Treasurer.

Budgets

Chairman Yohalem read aloud the following budgets:

Moderator - \$145.00

NM Rescue Expense - \$46,350.00

Fire Department Dues - \$200.00

Fire Protection - \$60,900.00

Fire Department Clerical - \$1,700.00

Highway Uniforms & Gear - \$3,000.00

Town Garage Maintenance - \$11,500.00

Diesel - \$59,000.00

Electricity - \$4,500.00

Highway Department Training Expense - \$1,500.00

Machinery Expense - \$71,046.00

Roads & Bridges - \$190,000.00

Propane - \$18,000.00

All budgets were previously approved by the Finance Committee, with approximately half of the amounts consistent with last year's budgets. The budgets submitted for NM Rescue Expense, Town Garage Maintenance and Machinery Expense were all held.

A motion was, seconded and so voted by all members to approve the budgets for Moderator, Fire Department Dues, Fire Protection, Fire Department Clerical, Highway Uniforms & Gear, Diesel, Electricity, Highway Department Training Expense, Roads & Bridges and Propane.

Announcements and Updates

Chairman Yohalem read an email from Attorney Ron Berenson asking if his presence at the March 29th Town property auctions was needed. The Board deemed it not necessary. Jessica Bosworth will respond to Attorney Berenson with the Board's response.

It was noted that Patricia Mielke will be taking a vacation from February 17th through the 27th. Jessica Bosworth will be covering.

The Board briefly reviewed the contract from Crocker Communications for the Voice over IP system, but asked that the documents be reviewed by Town Counsel before signing.

A memo from the Treasurer was read by the Board, requesting further clarification on holiday overtime hours worked by the Highway Department. After a discussion, the Board came to an agreement on the understanding of the policy to be; employees will be paid double their normal hourly wage for each hour worked. A written memo of the modified policy will be sent to the Highway Superintendent.

The Board discussed the insurance details for John Lander, Clerk of the Works, for the Foley Bridge project and asked about him obtaining his own liability insurance policy, if the cost were less than through the Town's insurance carrier.

Selectman Shalaby commented on the grant application for Energy Managers from the Department of Energy Resources. The program provides funding for an Energy Management position within the Town, for a two year term. The Board was in agreement that the commitment could not be made at this time.

Chairman Yohalem announced that there is a phone meeting scheduled with Erica Kreuter, Project Manager for MassWorks, at 10:00 am on Thursday. Following that, a meeting will take place in order to discuss a schedule around the process of setting the tax rates.

It was noted that the Finance Committee verbally agreed to transfer money from the Reserve Account to the Library Expense Account for the lighting upgrades at the Library, toward the end of the budget process.

A motion was made, seconded and so voted by all members to approve and sign the Library lighting contract from Prism Energy Services.

Chairman Yohalem mentioned that at the next Selectmen's meeting, the Police Chief will be present to discuss the Road Flaggers Policy.

Selectman Shalaby gave an update of the work being performed by Shayna Spencer on grants for the Town. A meeting will be scheduled in order to provide her with further guidance.

The Board reviewed a letter and subsequent emails from David Ralph's Attorney to Jeremiah Pollard regarding the property at 345 Old Hitchcock Road and Special Permit request. After a discussion, the Board agreed to schedule a meeting with Mr. Pollard to discuss the matter further.

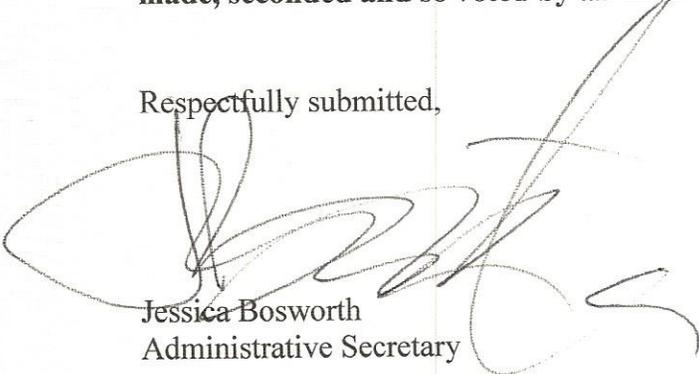
Chairman Yohalem reported on the School Committee's Finance Committee meeting last Thursday. Due to a report from the State, the overall proposed school budget increased around two and half percent and could result in an increased cost of \$133,000 to the Town.

The capital budgets for the three outlying schools were outlined at a second meeting today as follows: New Marlborough \$20,000, Monterey \$5,000 and South Egremont \$5,000. He also gave a recap of the proposed cost breakdowns for repairs at New Marlborough Central. The Chairman ended his report with his opposition to the idea suggested by the Committee, of transferring students from Sheffield to Egremont so that it would be a more viable school.

It was noted that next Monday, the Town's two school representatives will attend the Selectmen's meeting at 6:00 pm. Also noted was Selectmen Shalaby efforts to coordinate a meeting between the Board, the School's Finance Committee, the Town's Finance Committee, Dave Hastings and Vito Valentini, to be held during a regularly scheduled Selectmen's meeting.

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 9:05 pm.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'Jessica Bosworth', is written over the typed name and title.

Jessica Bosworth
Administrative Secretary