
Select Board Meeting Minutes 9/5/18

Select Board Minutes of the meeting of 9/5/18

Meeting Opened at: 9am

Select Board Members Present: Carol Edelman, Chairperson, Kenneth Basler and Donald Coburn

Also in attendance: Peter Chait, Patrick Carnevale, Larry Klein

The Board met with Patrick Carnevale of the Governor's Office to discuss the following:

- Broadband issues: The remaining issues that Monterey is facing with trying to provide high speed internet for all of Monterey were discussed. Current issues amongst the board with regard to how to go forward in getting the entire town wired arose. After disclosing Carol's potential conflict of interest, and even though no decisions were going to be made, she recused herself from this portion of the meeting.
- Cell coverage: Patrick reported that he spoke with Verizon through the Executive Office of Public Safety and they hold firm that they are uninterested in constructing any towers. The Board explained that we have one existing tower and another applicant applying for construction permits now and we cannot understand how Verizon can't somehow be compelled to put repeaters on the 2 towers; Patrick will contact Verizon again with this information.
- Boat Ramp: Patrick is working with Department of Conservation and Recreation and trying to see if there is anything the state can do to purchase the land next to the beach to move the boat ramp.
- Patrick encouraged the Board to reach out at any time and he'd be more than happy to assist with anything he can.
- Community Compact: He will inquire if there is any way to get an extension to the deadline for the IT portion of the grant application.

The Board met with Shawn Tryon, Director of Operations to discuss the following:

- Larry Klein requested that the Board reconsider their decision with regard to Fiber Connect's request to trench, specifically on Fairview Rd due to the financial burden to interface with the highway department. Carol recused herself from the conversation. It was noted that this matter hasn't moved forward as Fiber Connect has withdrawn its request. Shawn confirmed that this would take a minimal amount of his time and would be a good solution once a few guidelines have been addressed and put in writing. Don made a motion to permit Fiber Connect to use the underground at no charge providing a document is created and signed by the Board and Shawn prior to any work being performed. The motion was approved.
- Curtis Rd Bridge: We are still on schedule to have the project finished before winter. A few unexpected issues have arisen that Shawn will keep the Board updated on once he has more information.
- The new hire is adjusting well. Shawn is very pleased with him and his abilities.
- The crew has finished the drainage by the highway garage (old transfer station) to eliminate the washouts that were occurring.
- The firehouse is being sheet rocked now and the project is moving along.

Miscellaneous Items Reviewed:

- Larry asked about the Board's opinion on continuing to work with Cliff Weiss of the Broadband Committee to assist in writing the RFP that is necessary. Don has concerns with Cliff's potential conflict of interest. Larry requested permission to contact counsel on the matter which was granted.
- Don inquired of Larry in his role as the current chair of the Broadband Committee as to where one could find the minutes from all the Broadband Committee meetings as they have not been given to the Administrative Assistant to post on the website. Larry questioned whether the Broadband Committee had to keep minutes; he was assured that they do since they are an appointed committee tasked with a specific function.
- Don inquired as to why the meeting with Justin Cole from BMA was removed from today's agenda. Kenn recapped the informal conversation held with Justin yesterday (approved at last month's meeting) requesting that BMA reconsider the demand for payment received on August 24th for work done in cleaning up the FY17 books. Justin has agreed and sent a

subsequent letter withdrawing the demand with the expectation that a conversation about this issue will take place in a reasonable time frame, while expressly reserving their right to any and all legal options. Justin is going to get us a revised figure within a week. Don was not in favor of this and noted that he will express his objections again when the revised number is presented. Carol stated that this seemed to be a reasonable request if BMA is willing to compromise in recognition that the town does not have unlimited resources, and did not see any harm in moving forward in a cooperative manner rather than legal action to resolve any outstanding issues.

- The Cultural Council requested that Cheryl Zellman, Laura Berliner and Wendy Benjamin be appointed to the Monterey Cultural Council. All 3 were appointed for a term of 3 years.
- Southern Berkshire Regional School District Assessment formula: At last week's meeting the Board was given spreadsheets to review and weigh in on for the next meeting of the school assessment committee on Sept 11. Kenn was in favor of the proposal as it would allow for some stability going forward in budgeting. Everyone agreed.
- Kenn requested that Carol ask the school business administrator for copies of the recently negotiated teacher contracts.
- At the request of the treasurer the Board reviewed the open special articles and voted to close the following:

02-000-5300-179014-0	ATM 5/16 Art 20 WMH	\$0 balance
02-000-5300-179016-0	STM 10/16 Art 9 Nutrient Loading	\$0 balance
02-192-5240-179006-0	STM 3/17 Art3 Town Hall Reno	\$0 balance
02-192-5800-189010-0	ATM 5/17 Art11 Town Hall Lot Repaving & Repair	\$0 balance
02-220-5800-189011-0	ATM 5/17 Art 12 Fire Compressor	\$0 balance
02-301-5240-169006-0	ATM 5/15 Art9 Monterey School Repairs	\$0 balance
02-422-5300-179008-2	Bally Gally Maintenance	\$0 balance
02-422-5800-189009-0	ATM 5/17 Art10 Hwy Truck	\$0 balance

- The policy that was written in May of 2017 with regard to contacting counsel was brought up for review again. Carol reported that she spoke with Counsel about this; the intention was to only have issues brought to counsel for review or advice that had been brought before the Select Board first, and had received permission to move forward. Don does not feel that this policy should apply to the Select Board. He feels each selectperson should be able to contact counsel whenever and on any topic. He thinks that this should only apply to the Select Board if there was an abuse of use of counsel which was affecting our retainer agreement. Kenn and Carol both concurred that the Select Board should all be in agreement on issues that should be brought to counsel. Don disagreed and was emphatic that he is entitled to receive information and should not be denied if the other 2 board members disagree. Kenn made a motion that all Boards, including the Select Board must discuss and agree on any items to be brought to counsel. Don disagreed and said that he will send any questions he has directly to counsel at his discretion.
- Warrants were signed.
- Minutes from 8/15 were approved as written and 8/29 with edits.
- Administrative Assistant's weekly report was reviewed.
- Police Chief's weekly report was reviewed.

A motion was made and unanimously approved to adjourn the meeting at: 11:11am

Submitted by:
Melissa Noe, Administrative Assistant
Approved by:
Monterey Select Board

cc: Website (www.montereyma.gov)
Select Board Members
Minutes Book
Town Clerk

