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# Select Board Meeting Minutes 2/6/19

## Select Board Minutes of the meeting of 2/6/19

**Meeting Opened at:** 4pm

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

**Also in attendance:** Mary McGurn, Peter Chait, Adam Chait, BJ Johnson, George Cain, Terry Walker, Kathleen Ronchi, David Lawless, Jeremia Pollard, Mike Banner, Pam Johnson. Larry Klein, Steve Moore

Miscellaneous Items Reviewed:

- The Board reviewed the revised amended job descriptions for the Building Department as well as the revised offer letters noting the change from salary to hourly on the part time positions. A motion was made to appoint Owen Wright as the Local Building Commissioner. The motion was seconded and unanimously approved.
- Carol made a motion to retroactively rescind BJ Johnson's unintentional resignation from the Broadband Committee. The motion was seconded by Kenn. Discussion ensued. BJ Johnson was present and explained that he didn't recall filing a resignation letter with the Town Clerk and if he did it was an honest mistake as he intended to continue on the committee to help with the RFP. Don accused Kenn of acting on his own in putting BJ back on the committee without authorization from the Select Board. Don stated that he would support BJ being appointed to the committee but not retroactively. A motion was made to reappoint BJ Johnson to the Broadband Committee. The motion was seconded and passed unanimously.
- The Board approved the Town Clerk's request to change her office hours effective March 1<sup>st</sup> to the following: Monday 10am – 5pm, Tuesday 4 – 7pm and Saturday 8am – 1pm and if Monday is a holiday Tuesday hours will be 8am – 7pm.
- Don Coburn expressed concern about the large number of agenda items added within 24 hours of the meeting. In particular, he objected to the listing of a proposed appointment of a new assessor without including in the listing the name of the person proposed. It was noted that the agenda may be amended and that the Open Meeting Law posting requirements are always followed.
- M. Noe updated the Board on the coverage options Shawn has been able to set up for an unexpected absence. A motion was made to appoint Ben Pac as a temporary, substitute transfer station attendant at \$18/hr. The motion was seconded and approved unanimously.
- The Board began discussion on the New England Aquatics remaining balance but was tabled until the next meeting because Don objected since it was likely that the company would not have seen this last minute addition to the agenda of an item concerning its claim for money.
- At 9:24am the Board opened 3 pole hearings for Fiber Connect. Adam Chait was present to answer any questions about the projects to install additional poles at the 3 advertised locations. M. Noe reported that the highway department has no issues with the proposals. There were no abutters or members of the public were present to object. A motion was made to approve all 3 proposals. The motion was seconded and unanimously approved. When it came time to sign the petitions Don Coburn refused but did not give a reason as to why.
- At 9:30am a motion was made to go into executive session to discuss litigation strategy regarding the Federal lawsuit brought by Michael Johnson against the town and Kenn, personally. Roll call was taken. Kenn Basler present, Don Coburn present and Carol Edelman present. The public was told that the Board would return to open session. The Board returned to open session at 10:15am.
- Don inquired of town counsel how we should proceed with the minute taking of the January 10<sup>th</sup> meeting held to discuss complaints & charges against a public officer and complaints against an employee. Town counsel advised that the regular minute taking procedure be followed. A motion was made to have the regular minute taker prepare the minutes for approval. The motion was seconded and unanimously approved.
- M. Noe inquired if the Board wanted the hauling contract for the transfer station rebid as the contract will be up in June. Melissa asserted that this is contract does not have to be put out to bid. Don asked for an estimate of the cost and Melissa indicated over \$50,000. On Kenn's motion, the Board voted unanimously to have competitive pricing and instructed that it be put it out to bid.

- Kenn updated the Board on the request sent to the school committee for a quit claim deed to the old Main Road school house, which is now permanently closed. The school committee responded by sending a copy of their original response in August, stating based on attorney advice that there wasn't anything that the school committee needed to do. Kenn asked Don what we could do. Don advised that an action to quiet title would have to be brought in the Land Court. He also suggested that Kenn discuss with Jeremia the likely cost of such an action. Then, Don said, we can make a final decision about whether it's worth pursuing and if so when we should have the law suit started.
- At 10:30am members of the Broadband Committee presented their recommendation to the Select Board based on the sole proposal received from Fiber Connect. That entire recommendation consisted of the statement that the Select Board should negotiate with Fiber Connect and MBI. Kenn disagreed and stated that the mandate of the Committee always included the task of reviewing the proposals received and making a recommendation to the Select Board. Larry then presented the Broadband Committee's recommendation to move forward with Fiber Connect and MBI with further negotiations. The Broadband Committee feels confident after having reviewed the proposal and having met with Fiber Connect that it is in the best interest of the town to continue forward in good faith. Larry also suggested that while the Broadband Committee members have completed their task they all would be willing to continue on in any capacity the Board would find useful. This discussion will be continued to next Wednesday at 9am to allow Carol and Don a chance to review the documents provided today.
- Warrants were signed.
- Mail was reviewed.

**A motion was made and unanimously approved to adjourn the meeting at: 10:58am**

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

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