

**BOARD OF SELECTMEN
MINUTES
September 8, 2014
Slade Building**

Members present: Michael Stauder, Chairman
Daniel Galante, Vice Chairman
Jeffrey Williams, Clerk
Raeanne Siegel

Member absent: David Simmerer

Staff present: Anita Scheipers, Town Administrator; Elaine Peterson, Town Secretary

Others present: Frank Foss, Comcast; Heidi Vandenbrouk, Charter; Ed Blanchard, John Nason,
Paul Hale

Meeting was called to order at 6:31 p.m.

Open Session: there was no one present for open session.

Minutes Approval:

Motion: J. Williams

To approve the minutes of August 25, 2014 as presented

2nd: R. Siegel

Vote: All in Favor

New Hire of Asst. Town Clerk – Joyce Young

Ms. Scheipers reported Joyce Young had been hired as Assistant Town Clerk after interviewing three candidates with Town Clerk Joyce Green. Her starting wage will be \$13.00 per hour.

Motion; J. Williams

To waive the 15 day notification period and confirm the new hire

2nd: R. Siegel

Vote: All in Favor

Appointments

Town Clerk Joyce Green has requested the appointment of the following election workers: Beverly Baxter, Kellianne Becker, Patricia Burke, Andrea Colyer, Ann Gushue, Marcia Howlett, Maureen Kennedy, Shonna Larson, Dolores Ordway, Nancy Rogan, Amy Stevens, Kathleen Vincent, Carol Whitney, Lynn Wilkinson, Patricia Woodward with terms to expire June 30, 2015

Two other appointments; Chief Dennis Perron to Long Range Facilities Planning Committee and Peter Jefts to the Capital Improvement Planning Committee/Planning Board, all with terms to expire June 30, 2015 were requested also.

Motion: J. Williams

To approve all appointments as listed above with terms to expire June 15, 2015

2nd: R. Siegel

Vote: All in Favor

*Board of Selectmen
September 8, 2014*

Ms. Peterson pointed out upcoming events such as regional Fall Legislative Breakfast, the Fall Conference for Selectmen and the Annual Meeting of Town Finance Committee. Mr. Galante entered the meeting.

Town Administrator Report-see attached

Ms. Scheipers stated she is hoping the meeting with the DCR regarding the land swap will be scheduled within the next week.

She stated she will using an RFP process based on experience and qualifications for the IT services rather than an invitation to bid. She will be seeking a three year contract.

Ms. Scheipers added she has requested additional information from town counsel on the use of cemetery trust funds. She has received a partial reply from them as they are waiting for input from Attorney General's office.

Ms. Scheipers reminded the Board of the recent proposal from Solair about the free energy credits for twenty years. She reviewed it with town counsel, DOER and other communities that Solair also contacted. Despite their promotion of the free credits, it is in fact the standard net metering purchasing agreement. Town Counsel has recommended a town meeting vote if the contract extends over twenty years. She stated she has also talked to other communities who have taken contracts with Solair and they have stated this is not subject to procurement laws. Ms. Scheipers will report back in October after further research.

Ms. Scheipers added the Police Department has received the drug drop off box and it will be located at the front of the building attached to a concrete pad.

The Board decided to enter Executive Session before the cable public hearing.

Motion: D. Galante

2nd: J. Williams

To enter Executive Session III for Reason #5- to investigate charges of criminal misconduct or to consider the filing of criminal charges with the intent to return to Open Session meeting upon adjourning

Vote: Mr. Stauder- yes, Ms. Siegel- yes, Mr. Galante- yes, Mr. Williams – yes

*****Executive Session Minutes are Separate*****

Meeting was reconvened at 6:53 p.m.

Frank Foss, Senior Manager for Comcast Government Relations and Heidi Vanderbrouk, Senior Communications Manager for Charter introduced themselves to the Board.

Charter Cable License Hearing 7:00 PM

Ms. Scheipers reminded the Board the hearing is to consider approving the request for transfer of the cable license held by Charter Communications to Comcast Corporation based on technical, legal and management expertise. Mr. Stauder read the hearing notice aloud. – see attached. He noted that the transfer is from Charter Communications not Time Warner Cable. Mr. Foss explained that Form 394, required by the FCC as well as the state, explains the transfer of the Charter cable license to Comcast. Form 394 lays out how they are moving one corporation to another corporation. Technically Comcast is taking the Charter Communications properties and

moving it into a separate corporation, then that corporation will be moved over to Comcast. Some are going to be the Time Warner properties and some are going to be the Charter "proper" properties. What the Board would be approving is the subsidiary corporation from Charter's holdings into our (Comcast) holdings. It's all based on Comcast being able to acquire Time Warner Cable and taking those assets and swapping/sharing them and moving them to Charter as well as Charter moving some properties to Comcast. In this instance it's the latter, Charter moving the properties to Comcast.

Mr. Foss explained the Form 394 supplies the legal explanation but does not explain the character that's doing the acquisition. Over and beyond the three requirements, Comcast has advanced services- X1 Services; the advanced services bringing in digital services but also IP television which is comparable to satellite services. These include cable, telephone, internet, and home security systems. Beyond the services Comcast has philanthropic services for the community:

Leaders and Achievers- scholarship program for students chosen by their peers, this past year \$630,000 was awarded nationally.

Comcast Cares Day- single day community support generally focused on Boys and Girls Clubs and partner with a non-profit organization - at least one project a year usually in April.

Internet Essentials- there are areas that families just can't get or can't afford cable services. We will provide service to children who receive the national school lunch program with free modem and installation for a child at \$10 per month/fee, normally a \$45 per month service fee. It will also provide a computer for \$150 to those in the program. Once in the program the child stays through Grade 6 in public and charter schools. Training is provided for both the parents and the student. Comcast prides itself on trying to give back to the community.

Mr. Foss stated he hopes the town will consider the transfer. Comcast will take over control of the license if approved. If there is an obligation on the current license Comcast will comply with it. Mr. Galante asked about a community liaison being assigned to the town. Mr. Foss stated there are representatives assigned to communities. There is another tier of management for larger projects. Mr. Stauder asked will there be some infrastructure upgrades with Comcast coming on. Mr. Foss did not know. Ms. Vanderbrouk stated the network they have is solid. Comcast will be taking over the existing system (present assets). There will be no switching out of equipment.

Ms. Scheipers asked about when picking up equipment at Charter facilities, will this be the same location? Mr. Foss stated it's required by the license to keep a facility in Worcester for the 10 year period of the current license. Another question posed was when would this transfer begin? It likely would start the first quarter of next year pending on FCC approval. If the transfer is not approved, Charter would remain the provider. Would monthly bills stay the same? Nothing will cause rates to increase due to the transfer. On an average, rates will increase 1-2 % annually.

Cable Advisory Committee member John Nason stated he didn't hear anything about supporting senior citizens in town adding there are no Boys or Girls Clubs in Hubbardston. Mr. Foss stated we do provide free service to town, television drops. Mr. Nason asked what kind of technical support the Town would receive from Comcast regarding public access television technical assistance. Ms. Vanderbrouk stated Charter Communications provides technical support in each town. Mr. Nason asked could we depend on this person to recommend purchasing equipment. Mr. Foss stated Comcast provides video production services of engineers, if asked. Ms.

Vanderbrouk suggested contacting Charter's support for public access if you need assistance now. She volunteered to have the Charter rep contact Ms. Scheipers. Mr. Blanchard asked what responsibility Comcast will have with tree maintenance. Mr. Foss stated the license determines

this but they have to follow New England telephone wire safety code as well as comply with the local Tree Warden. There is an annual ride around to view the cable. Another question posed was will bundling services change? Mr. Foss hasn't seen this happen in other transfers. Competition generally creates changing the bundling. The only other competition is those with wire lines, those with Telco wire lines and those with no wires at all (satellite). Ms. Scheipers asked if the Board was ready to vote tonight.

**Motion; J. Williams
To close the public hearing**

**2nd: D. Galante
Vote: All in Favor**

**Motion: D. Galante
To approve the consent to assignment or transfer of cable license from Charter Communications to Comcast Corporation**

**2nd: J. Williams
Vote: All in Favor**

Mr. Foss and Ms. Vandenbrouk thanked the Board and exited the meeting.

Public question period was opened. No questions were asked.

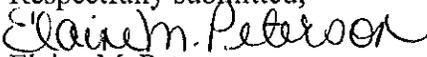
**Motion: D. Galante
To enter Executive Session I for Reason #6, to consider the purchase, exchange, lease or value of real estate, if the Chair declares an open meeting may have a detrimental effect on the negotiation position of the public body, and acknowledge Mr. Hale and Mr. Nason in the session, and to enter Executive Session II upon adjourning
Vote: Mr. Stauder- yes, Ms. Siegel- yes, Mr. Galante- yes, Mr. Williams – yes**

2nd: J. Williams

Mr. Stauder declared an open meeting would have a detrimental effect on the negotiation position of the public body.

*******Executive Session Minutes are Separate*******

Meeting was adjourned at 8:01 p.m.

Respectfully submitted,

Elaine M. Peterson
Town Secretary

Approved: October 6, 2014

To: Hubbardston Board of Selectmen

From: Anita Scheipers, Town Administrator

Date: September 8, 2014

Re: Bi-weekly Town Administrator Report

The following is a summary of key issues handled during the past weeks:

1. Status of DCR Land Swap: As was discussed at the last meeting, DCAM and DCR have agreed to have the appraiser from their consultant, The Foster Company, meet with John Avery of Avery Associates (who conducted the peer review of their report) to discuss the discrepancies between their reports, and to see if they can agree to modify the appraisals. John Avery and I have provided possible dates for this meeting to DCAM, but the meeting has not yet been scheduled. I will keep you updated as this next step is scheduled.

2. Slade Building Exterior Maintenance: We are fortunate to be having a work crew from the county jail here this week to scrape and repaint the exterior wood on the Slade Building. Painting of the building was last done 7 years ago, and it is necessary to paint the wood siding again to maintain the exterior shell of the building. Our minimal costs for the project cover materials and lunch to the work crew.

3. Procurement Activity: a) Since the existing IT Support contract with CM Geeks has expired, I have been working on a draft Request for Proposals to seek proposals for IT support for town departments from qualified firms based on experience and quality requirements vs just lowest cost. I expect to award a new contract by Nov 1st.

4. Auction of Surplus Equipment: We have successfully auctioned off five pieces of surplus equipment. Please see the list below for the items and the final sale price. We have one additional vehicle, the 2003 Ford Expedition, for which we are still accepting bid.

- a) Ford Backhoe \$7,600.00
- b) Stainless Steel Sander \$910.00
- c) 1998 Ford Expedition \$535.00
- d) 1996 Ford F-250 \$710.00
- e) 1988 Mack Dump Truck \$2,801.00

5. Update on the Long Range Facilities Planning Committee Progress: The LRFPC has completed several key phases of work as follows: a) reviewed all existing reports regarding the conditions of our various town buildings, b) met with department heads or appropriate town officials regarding current programmatic needs of the buildings, and c) conducted a public survey regarding the types of projects the public wishes to see happen (e.g. new versus rehab) and the prioritization of these projects. The committee has now voted to have the construction of a senior center be top priority, with a new police/fire public safety building to be a close second. The committee is currently looking into rough project cost and tax impact estimates, as well as a proposed phased approach to all projects. The committee will be ready to present a more formal progress update at one of our October meetings.

6. Compensation Study: Human Resources Services, Inc. of Andover has completed updating all job descriptions with appropriate staff input, and is now preparing wages comparison info for each position. We should have the full wage analysis and recommendations by the end of October, and I will present wage adjustment recommendation to the Board and Finance Committee for consideration in developing the FY16 operating budgets.

**TOWN OF HUBBARDSTON
NOTICE OF PUBLIC HEARING**

In accordance with the provisions of the cable communications policy act of 1984, 47 USC §521, ET.SEQ., and with the regulations of the Massachusetts Department of Telecommunications & Energy, Cable Television Division, 207 CMR, §§2.03, and 4.03, the town of Hubbardston acting by and through its Board of Selectment, hereby gives notice that it will conduct a public hearing on Monday, September 8, 2014 at 7:00 PM at 7A Main Street, Hubbardston, MA. The purpose of the public hearing will be to consider the desirability of approving the request for transfer of a cable television license held by Time Warner Cable, Inc. to Comcast Corporation. At this hearing, the issuing authority shall consider evidence of Comcast's:

- A) Management expertise**
- B) Technical expertise**
- C) Financial capability; and**
- D) Legal ability to operate the cable system under the existing license.**

All members of the public, representatives of the cable operator, and all interested parties are invited to attend and be heard.

aug16,23-2t