

MLP Board Meeting Minutes

May 11, 2023 - 5:00 P.M.

Present: Roger Fuller, Larry Cervelli (joined later in the meeting), Joe Gazillo, Jeff Frechette, Kady von Schoeler Justin West, MLP Manager, Jack Henry, Associate MLP Manager

Absent: None

Public Present: None

Video Conference Meeting:

This meeting was conducted in a hybrid model but with access consistent with Governor Baker's Executive Order of June 16, 2021. Governor Baker signed into law an Act Extending Certain COVID-19 measures Adopted During the State of Emergency. This Act includes an extension, until April 1, 2022, of the remote meeting provisions of his March 12, 2020, Executive Order Suspending Certain Provisions of the Open Meeting Law. The new law has two major parts:

First, the new law allows public bodies to continue providing live "adequate, alternative" means of public access to the deliberations of the public body, instead of holding meetings in a public place that is open and physically accessible to the public. "Adequate, alternative means" may include, without limitation, providing meeting access through telephone, internet or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body in real time. Second, the new law authorizes all members of a public body to continue participating in meetings remotely; the Open Meeting Law's requirement that a quorum of the body and the chair be physically present at the meeting location remains suspended.

The meeting called to order at 5:03 p.m. on May 11, 2023. The minutes of the Thursday February 9, 2023 meeting were approved. Vote: Yea 4, Nay 0, Abstentions 0

Mr. West gave an update on the following new initiatives:

- HVAC backup for the hut. The MLP managers have contracted for a minisplit backup system for the Fiber Hut to ensure that there would be heating and cooling should something happen to the main HVAC system. Mr. Frechette had concurred that this was standard procedure and had been done in similar situations. He further suggested that the system be exercised weekly or monthly or be switched with the main system to ensure that it is operational.
- Broadband workshops sponsored by the MLP and given at the Community Center to help educate subscribers about using the internet and about streaming TV and music. They were well attended and have been recorded to allow for ongoing use on the website.

- The possibility of installing charging stations at the hut to complement the WIFI available there was discussed, and the consensus of the board was that this would not be necessary.
- Mr. Henry gave an update on the MLP's support for a COA grant that would provide funding for educating older residents in the Hilltowns about using broadband.

The following on-going projects were discussed:

- The repair of the transfer switch in the Fiber Hut. It is now fully repaired and operational. The managers indicated that they would be testing it monthly to ensure that it is operational.
- A cell phone extender and flashlight were purchased for the Fiber Hut after incidents during the last snowstorm highlighted the lack of light and cell service in the hut during a blackout.
- The MLP is now officially a part of the Chesterfield Emergency Management Plan.
- Mr. Henry gave an update on the status of the Geocluster. It is still on schedule for June or July of this year. Mr. Fuller inquired about the status of the Cummington Interconnect. Mr. West replied that he would check with Westfield Gas and Electric to see where that stood but that he had not heard anything about the issue with right of way access for Mount road.

Mr. Henry presented the year-to-date financials, Q4 for FY 2023, and a comparison with last year. He went through all of the budget headings and explained where the MLP was financially and where there were differences from last year. There was discussion of retained earnings and Mr. Gazillo inquired what percentage of revenue should be considered feasible for retained earnings. Mr. West expressed caution that an appropriate amount for retained earnings could depend on expenses in any given year and that any rate change would have to be very carefully considered and undertaken in concert with the other MLPs.

Mr. Fuller expressed concern that the board had not been informed of the managers' purchase of the minisplit HVAC backup system. He opined that the board should be informed of any purchase and their approval obtained prior to moving forward. Mr. West explained that the managers would always apprise the board of all major purchases and would obtain their approval for any large expenditure or any expenditure that could be open-ended. Mr. Gazillo opined that the managers needed to remain flexible to respond to a situation without having to wait for board approval. Mr. Fuller replied that approval could be obtained by telephone. [Manager's note: such approval would not be consistent with Open Meeting Law]. Mr. Gazillo opined that expenditures in the range of \$50,000 or more could warrant board approval. Mr. West agreed that the managers would always seek board approval for major expenses. The consensus of the board was that Mr. Fuller's opinion was duly noted, but that there should be no change in procedure. Mr. Gazillo expressed appreciation of the forward thinking of the MLP managers.

The meeting was adjourned at 6:08 p.m. by unanimous consent.