

BOARD OF SELECTMEN

MINUTES August 3, 2011

Board met in session at 4:00 p.m. in the Selectmen's Meeting Room at Abbot Hall.

Jackie Belf-Becker, Chair
Harry C. Christensen, Jr.
Judith R. Jacobi
Bret T. Murray
James E. Nye

Anthony M. Sasso, Town Administrator

MINUTES. Motion made and seconded to approve the minutes from July 27, 2011. All in favor.

FINANCE. Bond/Bond Anticipation Notes. John McGinn, Finance Director, and Patricia Murray, Tax Collector/Treasurer, appeared before the Board seeking approval on recent Bond and BAN sales.

Motion made and seconded that we hereby determine, in accordance with G.L. c. 70B, that the amount of the cost of the Village School project authorized by a vote of the Town passed on May 5, 2008 (Article 39), amended by a vote of the Town passed May 4, 2009 (Article 12), excluded from the limitations of Proposition 2 ½, so-called, on June 17, 2008 (Question 2) not being paid by the school facilities grant is \$15,778,880 and we hereby approve of the issuance of notes and bonds in such amount under said G.L. c. 70B. All in favor.

Further motioned and seconded that the sale of the \$2,600,000 General Obligation School Bonds of the Town dated August 11, 2011 (the "Bonds"), to Roosevelt & Cross, Inc. at the price of \$2,641,676.70 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on August 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2012	\$ 70,000	2.00%	2019	\$125,000	3.00%
2013	115,000	2.00	2020	135,000	4.00
2014	115,000	2.00	2021	140,000	4.00
2015	115,000	2.00	2022	145,000	3.00
2016	125,000	2.00	2023	150,000	3.00
2017	125,000	2.00	2026	480,000	3.50
2018	125,000	2.25	2030	635,000	3.75

Further motioned and seconded that the Bonds maturing on August 1, 2026 and August 1, 2030 (each a “Term Bond”) shall be subject to mandatory redemption or mature as follows:

Term Bond due August 1, 2026

<u>Year</u>	<u>Amount</u>
2024	\$155,000
2025	160,000
2026*	165,000

*Final Maturity

Term Bond due August 1, 2030

<u>Year</u>	<u>Amount</u>
2027	\$170,000
2028	180,000
2029	185,000
2030*	100,000

*Final Maturity

All in favor.

Further motioned and seconded that to approve the sale of a \$6,596,000 1.50 percent General Obligation Bond Anticipation Note of the Town dated August 12, 2011, and payable August 10, 2012 (the “Notes”), to Eastern Bank at par and accrued interest plus a premium of \$79,237.02. All in favor.

Further motioned and seconded that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated July 21, 2011, and a final Official Statement dated July 28, 2011 (the “Official Statement”), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted. All in favor.

Further motioned and seconded that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated July 21, 2011, and a final Official Statement dated July 28, 2011, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted. All in favor.

Further motioned and seconded that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement. All in favor.

Further motioned and seconded that the consent to the financial advisor bidding for the Bonds and Notes, as executed prior to the bidding for the Bonds and Notes, is hereby confirmed. All in favor.

Further motioned and seconded that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a Continuing and Significant events disclosure undertakings in compliance with SEC Rule 15c2-12 in such forms as may be approved by bond counsel to the Town, which undertakings shall be incorporated by reference in the Bonds and Notes as applicable, for the benefit of the holders of the Bonds and Notes from time to time. All in favor.

Further motioned and seconded that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes. All in favor.

LICENSING. Common Victualler. Thai Market Inc. Tom Kanchananaga, 26 Hawkes Street, appeared before the Board seeking a Common Victualler License for 26 Hawkes Street. Motion made and seconded to approve the request from Tom Kanchananaga for a Common Victualler License for Thai Market Inc., 26 Hawkes Street, hours of operation Tuesday through Sunday 11:30 a.m. – 9:30 p.m., subject to all fees paid and receipt of all required department sign offs including a successful completion of the final walk through with the Board of Health. All in favor.

PERMISSION. Staging. Pearl Street. Scott Thibodeau, Glover Property Management, 8 Doaks Lane, appeared before the Board seeking permission to erect staging. Motion made and seconded to approve the request from Scott Thibodeau, Glover Property Management, Inc., to erect staging on the public way in front of 7 Pearl Street for 60 days from the date the scaffolding is erected and subject to receipt of the required Certificate of Insurance, safe pedestrian passage established and staging illuminated at night. Mr. Thibodeau is to provide the Board, through the Town Administrator, with a progress update in 30 days. 4 voted in favor, Mr. Christensen opposed.

PERMISSION. Staging. Summer Street. Motion made and seconded to approve the request from Richard L. Phelan, 10 Liberty Lane, to install temporary pump jack staging at 6 and 8 Summer Street for approximately 3 days during August 23, 2011 and September 2, 2011 subject to receipt of the required Certificate of Insurance and approval from Marblehead Police. All in favor.

PERMISSION. Temporary Fencing. Pleasant Street. Motion made and seconded to approve the request from David Groom, Groom Construction, to erect temporary fencing at 117 – 121 and 128-129 Pleasant Street for 30 days subject to safe pedestrian passage established and receipt of the required Certificate of Insurance. Mr. Groom should contact the Board if more time will be required. All in favor.

CEMETERY COMMISSION. Gift to Town. Motion made and seconded to accept as a gift to the Town a check for \$2,095.58 from Marsha and Harry C. Christensen Jr., 19 Overlook Road, to help defray the cost of a stockade fence on Cemetery property. 4 voted in favor. Mr. Christensen voted present.

LICENSING. Change of d/b/a. Motion made and seconded to approve the change of d/b/a for Chinstrap Enterprise Too Inc., 114 Washington Street, from Foodies Feast to The Rockhopper Café. All in favor.

PERMISSION. Blocking Street. Motion made and seconded to approve the request from Karen Byron to block off Marion Road on Saturday, August 20, 2011 from 3:00 p.m – 11:00 p.m. for a block party with a rain date of Sunday, August 21, 2011. All in favor.

VOTE. Surplus Equipment. Motion made and seconded to declare the harbormaster's 1989 25' Boston Whaler Frontier surplus and no longer needed for municipal use. All in favor.

VOTE. Contract. Central Fire Station Roof. Motion made and seconded to award the contract for the Central Fire Station Roof Project to W.P.I Construction Inc. of Webster, MA in the amount of forty two thousand dollars (\$42,000) and authorize the Chair to sign on behalf of the Board.

PERMISSION. Pan-Massachusetts Challenge Kids Ride. Motion made and seconded to approve the request from Tanya Hawley to host a Pan-Massachusetts Challenge Kids Ride on Sunday, October 16, 2011 from 9:00 a.m. – 12:00 noon subject to approval from the Marblehead Police and Fire Departments and receipt of the required Certificate of Insurance. The ride will begin and end at the Eveleth Road on Brook Road and travel down Brook, Leicester, Trager, Glendale and Auburndale Road and the bike path from the Eveleth to the Marblehead/Salem border. All in favor.

PERMISSION. MHS All Sports Boosters Scholarship Drive. Motion made and seconded to approve the request from Wendy Chalek, Chairman, for the MHS All Sports Boosters to conduct their annual door- to door canvas on Sunday, October 16, 2011. The drive will originate from the high school field house beginning at 12:00 noon and will finish at approximately 4:00pm. All in favor.

SEPTEMBER 11TH COMMEMORATION. An invitation was received to Mass Remembers – Voices of Hope, a statewide commemorative event honoring those who lost their lives, sacrificed and responded to the devastating tragedy in our nation's

history, on Sunday, September 11, 2011 at 2:00 p.m. at Institute Park, off Salisbury Street, Worcester MA. This event is open to the public.

APPRECIATION. Motion made and seconded to send the City of Beverly, Harbormaster's Office, a letter of appreciation for their recent response and assistance to an incident in Marblehead Harbor. All in favor.

CONDOLENCE. Motion made and seconded to send a letter of condolence to the family of Andrew Colby. All in favor.

Motion made and seconded to adjourn at 4:45 p.m. All in favor.

Kyle A. Wiley
Administrative Aide