

BOARD OF SELECTMEN

MINUTES

July 22, 2019

Board met in session at 9:00 a.m. at the Mary A. Alley Building, 7 Widger Road. Lower Level Conference Room

Present (constituting a quorum):

Jackie Belf-Becker, Chair
Harry C. Christensen, Jr.
M. C. Moses Grader
Judith R. Jacobi
James E. Nye

Jason Silva, Town Administrator

The Chair opened the meeting in public session.

EXECUTIVE SESSION. Contract Negotiations. Motion made and seconded to go into Executive Session for the purposes of contract negotiations where the public discussion on the same may have a detrimental effect on the negotiating position of the public body, votes may be taken, and if they are votes will be released at a time deemed appropriate by Counsel. The Board will not reconvene in open session. On a polled vote the Board voted as follows: Mr. Grader, in favor; Mr. Christensen, in favor; Mrs. Jacobi, in favor; Mr. Nye, in favor, Mrs. Belf-Becker, in favor.

The Board reconvened in open session at 9:15 a.m.

MINUTES. Motion made and seconded to approve the minutes from June 26, 2019. All in favor.

FINANCE. Bond Anticipation Notes. (BANS). Alison Nieto, Finance Director, and Leslie Davidson, Tax Collector, appeared before the Board seeking approval on recent BAN sales. The Finance Director notified the Board that the Town has received Triple AAA bond rating for the 11th year in a row. The following votes were taken:

Motion made and seconded that the sale of the \$11,495,000 General Obligation Municipal Purpose Loan of 2019 Bonds of the Town dated August 1, 2019 (the "Bonds") to Fidelity Capital Markets, a Division of National Financial Services LLC at the price of \$12,991,952.74 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>
2020	\$150,000	5.00%	2030	\$595,000	4.00%
2021	380,000	5.00	2031	630,000	4.00
2022	405,000	5.00	2032	650,000	4.00
2023	425,000	5.00	2033	675,000	4.00
2024	450,000	5.00	2034	705,000	3.00
2025	470,000	5.00	2035	725,000	3.00
2026	495,000	5.00	2036	740,000	3.00
2027	515,000	5.00	2037	765,000	3.00
2028	545,000	5.00	2038	785,000	3.00
2029	575,000	5.00	2039	815,000	3.00

All in favor.

Motion made and seconded to approve the sale of a \$8,831,894 1.50 percent General Obligation Bond Anticipation Note of the Town dated August 2, 2019, and payable July 31, 2020 (the “Notes”) to Jefferies LLC at par and accrued interest plus a premium of \$15,369. All in favor.

Motion made 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 10, 2019 and a final Official Statement dated July 17, 2019 (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.

Motion made 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 10, 2019, amended July 11, 2019 and July 17, 2019, and a final Official Statement dated July 17, 2019, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted. All in favor.

Motion made 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.

Motion made and seconded that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver 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.

Motion made and seconded that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such

procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and Notes and to comply with relevant securities laws. All in favor.

Motion made 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.

TASK FORCE AGAINST DISCRIMINATION. Interview. Appointment. Esther Darling Mulroy appeared before the Board as it relates to a vacancy on the Task Force against Discrimination. Motion made and seconded to appoint Esther Darling Mulroy to the Task Force against Discrimination with a term to expire in May 2020. All in favor.

PUBLIC HEARING. Public Shade Tree Removal. 20 Harbor Avenue. Lauren Lautner, For Seasons Ecological Design, and Mark Cicoria, Cicoria Tree Service, appeared before the Board seeking permission to remove a public shade tree at 20 Harbor Avenue. Ms. Lautner and Mr. Cicoria noted that the tree was in poor health and shows signs of stress and deterioration. Ms. Lautner proposed removing the tree and replacing the tree in accordance with the Town's Shade Tree Regulations. Arthur Graves, Interim Tree Warden and DPW Director addressed the Board. While he felt the tree could possibly rebound and survive for a while he ultimately recommended that the tree be removed. Don Morgan, Marblehead Conservancy, addressed the Board and stated he feels that taking down a tree is a very serious decision and could the Board require that the replacement tree(s) be of substantial size. Ms. Lautner and Mr. Graves both stated that transplanting larger trees increases the chance that the tree will not survive a long time. Motion made and seconded to approve the request from Lauren Lautner, For Seasons Ecological Design, to remove the existing Crimson King Norway Maple at 20 Harbor Avenue and to replace the tree in accordance with the Town's Shade Tree Regulations and under the supervision of the Interim Tree Warden. All in favor.

EXECUTIVE SESSION MINUTES. Release. Motion made and seconded, on advice by Town Counsel and after review by the Board in Executive Session, to make public the following Board of Selectmen Executive Session minutes: January 23, 2013, December 11, 2013, January 22, 2014, March 26, 2014, April 9, 2014, April 15, 2014, April 18, 2014, May 14, 2014, May 28, 2014, October 1, 2014, August 27, 2014, June 18, 2014, February 11, 2015, October 4, 2017, November 15, 2017, February 28, 2018, May 3, 2018 and June 18, 2018. All in favor.

FORT SEWALL. Cultural Facilities Fund Grant Match. Motion made and seconded that the Town commit \$150,000 of the Fort Sewall donation funds to match the Cultural Facilities Fund Grant and authorize the Chair to sign the documents on behalf of the Board. All in favor.

CONTRACT. Actuarial Analysis. Extend. Motion made and seconded to extend the current contract with Danziger & Markhoff LLP to conduct the Town's FY2019 actuarial analysis for OPEB (Other Post-Employment Benefits). All in favor.

CONTRACT. Fire Chief. Motion made and seconded to renew the contract of Chief Jason Gilliland, effective July 1, 2019 – June 30, 2024, in accordance with the terms and conditions presented and prepared by Assistant Town Counsel Marc J. Miller. 4 voted in favor. Mr. Christensen voted present.

ABBOT PUBLIC LIBRARY. Board of Trustees. Vacancy. The Chair announced a vacancy on the Abbot Public Library Board of Trustees. Letters of interest will be accepted to fill this vacancy by both the Board of Selectmen and the Library Board of Trustees. Please submit letters to:

Board of Selectmen
Abbot Hall
188 Washington Street
Marblehead, MA 01945
Or email: wileyk@marblehead.org

And to:
Abbot Public Library
Board of Trustees
235 Pleasant Street
Marblehead, MA 01945
Or email: rpsmitty@aol.com

Deadline to submit letters of interest is Friday, September 6, 2019. All interested applicants will be interviewed at a joint meeting with the Board of Selectmen and the Library Board of Trustees on Wednesday, September 11, 2019 at 7:30 p.m.

Motion made and seconded to adjourn at 9:50 a.m.

Kyle A. Wiley
Administrative Aide