

MINUTES – SELECTMEN’S MEETING

Monday September 14, 2020

Remote Meeting

Participants: Michael G. Bradley, Chairman; Christopher R. Rohland; Stephen R. Darcy; Michael A. Maresco, Town Administrator

Mr. Bradley moved, seconded by Mr. Rohland, to open the meeting at 6:45 p.m. The vote was unanimous. Roll Call vote: Mr. Bradley – aye; Mr. Rohland – aye; Mr. Darcy - aye.

Executive Session – At 6:45 p.m. Mr. Bradley moved, seconded by Mr. Rohland, to go into Executive Session for the purpose of discussing strategy regarding collective bargaining that if discussed in open session could have a detrimental effect on the negotiating position of the Town, returning to open session. The vote was unanimous. Roll Call Vote: Mr. Bradley – aye; Mr. Rohland –aye; Mr. Darcy – aye.

Mr. Rohland moved, seconded by Mr. Darcy, to close the executive session at 6:55 p.m. and return to open session. The vote was 2:0. Roll Call Vote: Mr. Rohland – aye; Mr. Darcy – aye.

Chris Rohland announced that Mr. Bradley had to leave the meeting to attend to a personal matter.

Town Administrator Report – Michael Maresco provided the Board with his brief as follows. Week of August 24, 2020:

- Zoom meeting with Lt. Governor Polito and Administration on COVID-19 issues related to after school programs, remote learning, out of state travel, high risk communities and available assistance
- Attended weekly COVID-19 Task Force Meeting
- Photo voltaic meeting with Matt Parent on areas to expand green energy
- Met with Patrick Dello Russo on CAFR reporting
- Met with Danielle Kerrigan and Labor Counsel to review DPW upgrades
- Weekly meeting with Collins Construction regarding elevator project
- Weekly meeting with Fred Russell for update on ongoing projects
- Met with Attorney Elise Zoli on PPA/Pilot for the new solar array project
- Participated in S&P call with Patrick Dello Russo prior to going out to bond the rest of the construction money for the Police, DPW, Senior Center and Seawall projects
- Attended Fiscal Team meeting led by Patrick Dello Russo
- Met with PMA on DPW and Police Station projects
- Zoom Meeting with Plymouth County on Cares Act submittals and process
- Quarterly Safety Committee Meeting with MIIA and representatives from Schools, DPW, Police and Town to review accident reports
- Attended meeting with Advisory Board and Patrick Dello Russo
- Attended Coastal Resiliency meeting with Woods Hole Group to discuss the results of building shoreline management in Marshfield/Duxbury
- Attended Sunrise Service for overdose awareness at Harbor Park

Week of August 31, 2020:

- Met with Patrick Dello Russo regarding Cares Act submittal
- Participated in South Shore Managers zoom meeting
- Conducted interviews with Danielle Kerrigan and Board of Health for Nurse position, unanimous decision to hire Kathleen Carroll
- Weekly meeting with Collins Construction regarding elevator project
- Weekly meeting with Lt. Governor Polito focusing on guidance for remote learning
- Weekly meeting with Fred Russell for update on ongoing projects
- Site walk of Police Station project with ZBA

Week of September 7, 2020:

- Weekly Covid 19 Task Force call
- Met with Chief Hocking on personnel issues
- Web call with Attorney Zoli, Bob Galvin, Patrick Dello Russo and Anne Marie Sinnott to follow up on DOR issue with Pilot and PPA
- Attended ZBA meeting to approve site plan for new Police Station and Frozen Four signalization project
- Met with Anne Marie Sinnott and Danielle Kerrigan regarding position in Assessor’s Office, Elaine Fiore was selected to fill the vacancy

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- Weekly meeting with Fred Russell for update on ongoing projects
- Zoom Meeting with Patrick Dello Russo, Anne Marie Sinnott, and Joanne Graziano from the Bureau of Local Assessments regarding Pilot/PPA
- Attended 9/11 ceremony at the fire station
- Call with DOR and Bureau of Local Assessments with Patrick Dello Russo, Robert Galvin and Anne Marie Sinnott to finalize PPA/Pilot for solar array
- Met with Patrick Dello Russo and Tom Scollins to prepare for joint meeting with Advisory Board on September 15 at 7:00 p.m.
- Notified by S&P that bonds sold for 1.9% interest rate due the Town’s AA+ rating. This represents approximately \$12M in savings from the original amount projected for the police, DPW, COA and seawall projects at a 3.5% interest rate. Taxpayers will save approximately \$1,150 on a \$460,000 home over the life of the note.

Ratification of Contract with Marshfield Firefighters Local 2568 – Chris Rohland announced that the Board of Selectmen voted unanimously in executive session earlier this evening to ratify a three year contract with the Marshfield Firefighters Local 2568 union. Michael Maresco gave some details on the terms on the contract.

Extension of Seasonal All Alcohol License – Chris Rohland said that the Board received a letter from Dan Hassett requesting permission to extend his seasonal all alcohol license through October 18, 2020. Michael Maresco noted that the business is behind on taxes and said that the vote should be contingent on payment in full. After a brief discussion, Chris Rohland moved, seconded by Steve Darcy, to extend the Seasonal All Alcohol License for Levitate Backyard LLC dba REXICANA Surf Cantina & Levitate Backyard through October 18, 2020 contingent on payment of all money owed to the Town. The vote was 2:0. Roll Call vote: Mr. Rohland – aye; Mr. Darcy – aye.

Hubbard’s Cupboard – Application for Seasonal All Alcohol License – Chris Rohland read into the record the public notice regarding this hearing. Attorney Matt Porter appeared remotely before the Board to represent the applicant and said that the Ghandis have operated this business with an Annual Wine & Malt License for three years. Mr. Porter said that there will be no major changes and the store will continue to operate primarily as a convenience store. After a brief discussion, Chris Rohland moved, seconded by Steve Darcy, to grant a Seasonal All Alcohol License to Ghandi & Son Corp. dba Hubbard’s Cupboard. The vote was 2:0. Roll Call vote: Mr. Rohland – aye; Mr. Darcy – aye.

Temporary Closure of Ember – Chris Rohland said that Charlie Bournazos has sent a letter in response to the Town’s request for information on the closure of the restaurant. In his response, Mr. Bournazos outlined his reasons for remaining closed after the State mandated closure ended and his plans to reopen this fall. Steve Darcy said that it appears that he has a clear game plan for reopening, and said that he has no issues with this temporary closure. After a brief discussion, Chris Rohland moved, seconded by Steve Darcy, to approve this temporary closure through October 14, 2020 with the stipulation that Mr. Bournazos notify the Board if he plans to remain closed past that date. The vote was 2:0. Roll Call vote: Mr. Rohland – aye; Mr. Darcy – aye.

Request to Plant Tree on the Brant Rock Esplanade – Chris Rohland said that this is a follow-up to a request that was originally approved in 2018 but the tree was never planted. Cathy Vaughan from the Jetty is requesting permission to plant a blue spruce tree on public property on the esplanade in Brant Rock to be decorated each year for the holidays. Michael Maresco noted that they have a dig safe permit in place. After a brief discussion, Chris Rohland moved, seconded by Steve Darcy, to enter into a License Agreement with the Jetty LLC which would allow them to plant a live blue spruce tree on the Brant Rock Esplanade. The vote was 2:0. Roll Call vote: Mr. Rohland – aye; Mr. Darcy – aye.

DAV – Application for Change of Manager – DAV Commander Henry Ducey appeared remotely before the Board with DAV members Damian Gaffney and William Green and gave some details on this request for approval of their application for Change of Manager to Damian Gaffney. After a brief discussion, Chris Rohland moved, seconded by Steve Darcy, to approve this application. The vote was 2:0. Roll Call vote: Mr. Rohland – aye; Mr. Darcy – aye.

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Cares Act Reimbursement Submittal – Patrick Dello Russo appeared before the Board and gave some details on COVID-19 related spending and reimbursements from Plymouth County under the Cares Act. Mr. Dello Russo said that the Town is requesting \$1,234,571.35 in reimbursement in this submittal for a total of \$2,711,368.31. After a brief discussion, Chris Rohland moved, seconded by Steve Darcy, to support this funding request. The vote was 2:0. Roll Call vote: Mr. Rohland – aye; Mr. Darcy – aye.

Wolfe Conservation Restriction – Michael and Susan Wolfe, 375 Union Street, appeared before the Board remotely and gave some details on the request with a PowerPoint presentation. Mr. Wolfe said that they are asking the Board to approve the Conservation Restriction on the property totaling approximately 25 acres. After a brief discussion, Chris Rohland moved, seconded by Steve Darcy, to approve this Conservation Restriction as written. The vote was 2:0. Roll Call vote: Mr. Rohland – aye; Mr. Darcy – aye.

New Appointment to Energy Committee – Jeff Corvese – Chris Rohland read through the application from Mr. Corvese and said that he seems well qualified. Chris Rohland moved, seconded by Steve Darcy, to appoint Mr. Corvese to the Energy Committee for the remainder of a three year term that expires on June 30, 2023. The vote was 2:0. Roll Call vote: Mr. Rohland – aye; Mr. Darcy – aye.

New Appointment to Open Space Committee – Susan Caron – Chris Rohland noted that Susan Caron is the former Chairman of the Open Space Committee. Chris Rohland moved, seconded by Steve Darcy, to appoint Ms. Caron to the Open Space Committee for the remainder of a three year term that expires on June 30, 2021. The vote was 2:0. Roll Call vote: Mr. Rohland – aye; Mr. Darcy – aye.

New Appointment to Cultural Council – Les Taylor – Chris Rohland said that Mr. Taylor has volunteered his time to many organizations in Town and would be a great asset to the Cultural Council. Chris Rohland moved, seconded by Steve Darcy, to appoint Mr. Taylor to the Cultural Council for the remainder of a three year term that expires on June 30, 2023. The vote was 2:0. Roll Call vote: Mr. Rohland – aye; Mr. Darcy – aye.

New Appointment to Advisory Board – Paul DiCristofaro – Chris Rohland read through the application from Mr. DiCristofaro and said that he seems well qualified. Chris Rohland moved, seconded by Steve Darcy, to appoint Mr. DiCristofaro to the Advisory Board for the remainder of a three year term that expires on June 30, 2023. The vote was 2:0. Roll Call vote: Mr. Rohland – aye; Mr. Darcy – aye.

Surplus Property for Auction/Destruction – Chris Rohland read through the list of unclaimed property from the Police Department which includes 23 miscellaneous items that have been held for over one year. Chris Rohland moved, seconded by Steve Darcy, to declare these items as surplus for auction, donation or destruction. The vote was 2:0. Roll Call vote: Mr. Rohland – aye; Mr. Darcy – aye.

Wage Theft Bylaw – Steve Darcy gave some details on the reason for his request to adopt this bylaw. After a brief discussion, Chris Rohland moved, seconded by Steve Darcy, to adopt this bylaw as written. The vote was 2:0. Roll Call vote: Mr. Rohland – aye; Mr. Darcy – aye.

Authorization for BANs and Bonds – Treasurer/Collector Patrick Dello Russo appeared before the Board and gave some details on this sale of Bonds and BANs and explained the savings this action will generate for the Town. Stephen Darcy, Clerk of the Board of Selectmen, read the vote into the record as follows:

I, the Clerk of the Board of Selectmen of the Town of Marshfield, Massachusetts (the “Town”), certify that at a meeting of the board held September 14, 2020, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

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Voted: that the sale of the \$20,770,000 General Obligation Municipal Purpose Loan of 2020 Bonds of the Town dated September 17, 2020 (the “Bonds”), to Wells Fargo Bank, National Association at the price of \$22,108,900.40 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on September 15 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>
2021	\$120,000	5.000%	2036	\$725,000	2.000%
2022	415,000	5.000	2037	740,000	2.000
2023	440,000	5.000	2038	760,000	2.000
2024	465,000	5.000	2039	770,000	2.000
2025	485,000	5.000	2040	790,000	2.000
2026	510,000	5.000	2041	805,000	2.000
2027	540,000	5.000	2042	825,000	2.000
2028	560,000	5.000	2043	835,000	2.000
2029	595,000	5.000	2044	855,000	2.000
2030	620,000	4.000	2045	870,000	2.000
2031	645,000	4.000	2046	890,000	2.125
2032	670,000	3.000	2047	910,000	2.125
2033	685,000	2.000	2048	925,000	2.125
2034	695,000	2.000	2049	945,000	2.125
2035	715,000	2.000	2050	965,000	2.125

Further Voted: to approve the sale of a \$3,100,000 1.00 percent General Obligation Bond Anticipation Note (the “Notes”) of the Town dated September 18, 2020 and payable July 23, 2021, to Oppenheimer & Co., Inc. at par and accrued interest, if any, plus a premium of \$14,140.00.

Further Voted: 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 August 27, 2020, and a final Official Statement dated September 9, 2020 (the “Official Statement”), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: 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 August 31, 2020, and a final Official Statement dated September 9, 2020, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: 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.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing and significant events disclosure undertaking 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.

Further Voted: 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. We hereby designate the Treasurer as the Compliance Officer under the continuing disclosure procedures.

Further Voted: that any certificates or documents relating to the Bonds and the Notes (collectively, the “Documents”), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a “.pdf” file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the

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purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: 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.

I further certify that the agenda for the meeting, a copy of which is attached hereto, was posted on the bulletin board of the town at least 24 hours before the meeting in compliance with Article 7-2 of the Town Charter.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds or the Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended, further suspended, supplemented or modified by the Executive Order of the Governor of The Commonwealth of Massachusetts Suspending Certain Provisions of the Open Meeting Law, Chapter 30A, §20 dated March 12, 2020.

Chris Rohland moved this vote as read, Steve Darcy seconded the motion. The vote was 2:0. Roll Call vote: Mr. Rohland – aye; Mr. Darcy – aye.

Laser Light Show at Marshfield Fairgrounds – Chris Rohland said that the operators of the Drive-in Theatre at the Marshfield Fairgrounds are requesting permission to add a laser light show as part of their entertainment. Mr. Rohland noted that there have been no issues with the operation of the Drive-in Theatre and it has been well received. Chris Rohland moved, seconded by Steve Darcy, to grant permission as requested. The vote was 2:0. Roll Call vote: Mr. Rohland – aye; Mr. Darcy – aye.

Acceptance of Minutes – Chris Rohland moved, seconded by Steve Darcy, to accept the minutes of August 24, 2020 as written. The vote was 2:0. Roll Call Vote: Mr. Rohland – aye; Mr. Darcy – aye.

At 8:05 p.m. Mr. Rohland moved, seconded by Mr. Darcy, to adjourn the meeting. The vote was 2:0. Roll Call Vote: Mr. Rohland – aye; Mr. Darcy – aye.

Respectfully submitted,

Catherine Burke

The following documents and exhibits were presented at the meeting: application and backup information for Hubbard’s Cupboard Seasonal All Alcohol License; application and backup information for DAV Change of Manager; email from Dan Hassett requesting extension of seasonal all alcohol license for the REXICANA Surf Cantina & Levitate Backyard ; email from Charles Bournazos regarding temporary closure of Ember; letter from Cathy Vaughan regarding request to plant tree on Brant Rock Esplanade including backup information and copy of License Agreement; information on third submittal for Cares Act reimbursement; copy of conservation restriction, backup information and PowerPoint presentation for Wolfe property; application for appointment to Energy Committee from Jeff Corvese; application for appointment to Open Space Committee from Susan Caron; application for appointment to Cultural Council from Les Taylor; application for appointment to Advisory Board from Paul DiCristofaro; list of unclaimed property from Marshfield Police; copy of Wage Theft bylaw; request for permission to have laser light show at Marshfield Fairgrounds.