

**MINUTES – SELECTMEN’S MEETING
MONDAY, MARCH 9, 2020 AT 7:00 P.M.
MARSHFIELD TOWN HALL – SELECTMEN’S HEARING ROOM**

Present: Joseph E. Kelleher, Chairman, Michael G. Bradley, Vice-Chair, Chris R. Rohland, Clerk, Michael A. Maresco, Town Administrator

Mr. Kelleher opened the meeting at 7:00 p.m. with the Pledge of Allegiance and announced that the meeting was being recorded by MCTV and other media outlets

Town Administrator’s Report – Mr. Maresco gave an oral report on the following:
Week of February 24, 2020

- held Benefit Position interviews with Danielle Kerrigan from HR and Rosie from Payroll
- held meeting on Coronavirus, if sick stay home, wipe down surfaces
- reviewed articles with Patrick Dello Russo for Town Meeting
- met with Fred Russell for weekly update on Fire Dept. kitchen and public bathroom, signage for Town Hall, signage for Alamo fleet and general clean-up in attic
- attended Mayflower Municipal Health Meeting
- attended weekly construction meeting regarding Police and DPW buildings
- attended LOMR Meeting on maps and GIS with Greg, Joe and Tim
- held meeting with Walter Sullivan and Ron Tauro family regarding 817 Ocean St. property
- attended Building Commissioner interview with Danielle from HR and Fire Chief
- met with Recreational Field Committee
- attended Capital Project Building Committee meeting for update on projects

Week of March 2, 2020 -

- met with Martine Anderson of Housing Partnership on Deed Ryder
- met with Patrick Dello Russo on invoicing options
- met with DPW on Maintenance Budget
- met with Patrick on Capital Budget Issues
- met with DJ Sullivan and Attorney Brodsky regarding warrant article
- met with Bill Grafton and Jim Kilcoyne on environmental issues
- attended MIIA Safety meeting with representatives from DPW, Fire, Police and schools
- held weekly meeting with Fred on elevator project, moving cars to Alamo, signage at Town Hall, shed for wheel chairs and motor scooter, IT issues, phone issues and moving the mail room
- held meeting with Bud Duksta on ongoing issues regarding rowing, pickle ball and tennis
- held meeting with Historical Commission and Historical Society Winslow House,
- held weekly construction meeting with Police and DPW projects
- attended Capital Budget Meeting and Advisory Board meeting

Chief Tavares – Presentation and Discussion 2019 Use of Force – Chief Tavares and Officer Brian Tingley appeared before the Board with a power point presentation to discuss Use of Force from March 13, 2019 through December 31, 2019. Chief Tavares indicated that Officer Tingley keeps track of the information for the Department. Chief Tavares mentioned that nationally, use of force is low as well as locally. Chief Tavares also mentioned that they have put together a policy regarding Use of Force for the Department. Chief Tavares noted that out of 437 arrests only 3% required Use of Force. Chief Tavares also explained that most incidents occur on a Wednesday between the hours of 4 and 8 p.m. The Chief mentioned the types of force that have been used by the Department such as physical altercations, non-compliant handcuffing, O.C. (pepper spray) taser (display only) and firearm (display only). Chief Tavares noted that all arrests but one was white and all but one was male. The Chief also explained that none of the police have shot anyone and that Marshfield is still considered a very safe community and that the community is listed as the 13th safest for its size in the country and that it had dropped down from six last year due to a couple of incidents. The Chief also stated that they have a Use of Force reporting form that they use and that there have been very few times that they have had to use force. Mr. Kelleher asked if the Chief would use this process every year and the Chief indicated that he would. The Board agreed the presentation was excellent and thanked them for coming in.

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Ronit Goldstein – Update and Discussion on Eversource – Ms. Goldstein appeared before the Board and mentioned that since she was here last year, there have been 3 tornadoes on Cape Cod and this area has experienced several wind events. Ms. Goldstein then discussed the reliability projects that Eversource has been working on such as the substation in Duxbury near Exit 11 that has been rebuilt and the mini substation on Pine Street. Ms. Goldstein also mentioned the vegetation projects that they have been working on as well as the App for Eversource that people can use on their cell phones to find out information on their usage, storms and pay bills. Ms. Goldstein also stated that the Senior Center would be receiving a Community Impact Grant and that there will be an upcoming presentation at the Senior Center regarding storms. Mr. Bradley mentioned that his main concern is always the responsiveness to storms and Ms. Goldstein indicated that the trees are the biggest issues in this town. Mr. Rohland mentioned that he has neighbors who use the App and are very impressed with it. The Board thanked Ms. Goldstein for her update.

Patrick Dello Russo – Discussion and Vote on Bond Debt Exclusion – Mr. Patrick Dello Russo appeared before the Board and noted that the Town has 3 very important projects coming up; the DPW building, the new Police Station and the Senior Center addition. Mr. Dello Russo indicated that it is necessary for the Board to accept the Bond sale for \$23 million. Mr. Dello Russo mentioned that the Town will have a 20% savings by starting these projects early and thanked everyone for all their work on putting the projects together.

Mr. Rohland moved, seconded by Mr. Bradley the following VOTE OF THE BOARD OF SELECTMEN,

I, Christopher Rohland the Clerk of the Board of Selectmen of the Town of Marshfield, Massachusetts (the “Town”), certify that at a meeting of the board held March 9, 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:

Voted: that the sale of the \$22,280,000 General Obligation Municipal Purpose Loan of 2020 Bonds of the Town dated March 12, 2020 (the “Bonds”), to Robert W. Baird & Co., Inc., at the price of \$23,120,072.58 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on March 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>
2021	\$455,000	5.000%	2034	\$730,000	2.000%
2022	460,000	5.000	2035	745,000	2.000
2023	485,000	5.000	2036	755,000	2.000
2024	510,000	5.000	2037	775,000	2.000
2025	535,000	5.000	2038	790,000	2.125
2026	565,000	2.000	2039	805,000	2.125
2027	575,000	2.000	2040	830,000	2.250
2028	585,000	5.000	2041	840,000	2.250
2029	610,000	5.000	2042	860,000	2.250
2030	640,000	5.000	2043	885,000	2.250
2031	680,000	3.000	2045	1,820,000	2.250
2032	690,000	3.000	2050	4,940,000	2.375
2033	715,000	2.000			

Further Voted: that the Bonds maturing on March 1, 2045 and March 1, 2050 (each a “Term Bond”) shall be subject to mandatory redemption or mature as follows:

<u>Term Bond due March 1, 2045</u>	
<u>Year</u>	<u>Amount</u>
2044	\$900,000
2045*	920,000

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*Final Maturity

Term Bond due March 1, 2050	
Year	Amount
2046	\$945,000
2047	965,000
2048	985,000
2049	1,010,000
2050*	1,035,000

*Final Maturity

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 February 24, 2020, and a final Official Statement dated March 3, 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 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 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, as applicable, for the benefit of the holders of the Bonds 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 to comply with relevant securities laws.

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 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 were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended. The vote was unanimous.

Dated: March 9, 2020

Chris R. Rohland

Clerk of the Board of Selectmen

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Greg Guimond, Joe Rossi – Presentation and Discussion on New LOMR Maps from FEMA – Mr. Greg Guimond Town Planner, Joe Rossi and Tim Williams appeared before the Board with a power point presentation on the new LOMR Maps from FEMA. Mr. Guimond read through his presentation regarding the Marshfield Letter of Map Revision (LOMR). Mr. Guimond explained in his report the definition of LOMR, the Marshfield LOMR, Marshfield LOMR Impacts and Marshfield LOMR, Mr. Guimond explained that the LOMR removes the invisible wall along Route 139 (Ocean Street) where the north side had a Base Flood Elevation (BFE) of 9 feet and the south side of the road had BFE of 14 feet and that the LOMR will also remove most of the buildings in the downtown including: Tumblefun, Station 8, Levitate and Dairy Queen. Mr. Guimond also explained that due to higher off shore wave conditions, the new LOMR adds a group of homes in the Lowell, Massasoit and Shawmut Avenue area into the AO3 Flood zone. Mr. Guimond also noted that FEMA issued the Letter of Map Revision Determination Document in February and that unless it is appealed, this LOMR will become effective on July 6, 2020. Mr. Kelleher thanked everyone for their hard work including the local state representative and local senator and asked if they expected appeals and Mr. Guimond indicated it would be up to the individuals and that an appeal would require technical information. Mr. Williams announced that there would be an informational public hearing on March 19, 2020 at the Furnace Brook Middle School with Leslie Fields from Woods Hole and representatives from the Building Department. Mr. Guimond mentioned that the people who are now coming into the flood zone have been notified by letter. Mr. Maresco mentioned that Mr. Williams and Mr. Rossi will be available for insurance questions. Mr. Rossi also indicated that there would be a brochure available for realtors in the area soon.

Discussion and Vote Renewal of Seasonal Liquor Licenses – Mr. Kelleher read the following list of seasonal licenses that need to be renewed:
Sajjan Enterprises dba Jogi’s Liquors – Seasonal All Alcohol Package Store License,
Jayshama Corporation dba Jackansons – Seasonal All Alcohol Package Store License,
The Point Restaurant – Seasonal All Alcohol Restaurant license, Common Victualler License and Entertainment License, REXICANA Surf Cantina & Levitate Backyard – Seasonal All Alcohol Restaurant license, Common Victualler License and Entertainment License. Mr. Hassett, Manager of REXICANA Surf Cantina & Levitate Backyard appeared before the Board to discuss his parking solution. Mr. Hassett mentioned that he has talked to Brixmore properties, the owner of the Marshall’s parking lot and they are going to allow him to use 100 spaces next to Marshalls. Mr. Kelleher noted that he Mr. Hassett is shortening the time he will be open this year and Mr. Hassett indicated that he will only be open from May 22 through September 28, 2020. Mr. Kelleher moved, seconded by Mr. Bradley to approve the seasonal liquor licenses as read, contingent upon all forms, fees and taxes being paid. The vote was unanimous.

Discussion and Vote to Open and Close Special Town Meeting Warrant to add Article Regarding PILOT Agreement- Mr. Kelleher read the proposed PILOT Agreement article. Mr. Maresco explained the PILOT Agreement and that Town Meeting has to approve this article. Mr. Kelleher moved, seconded by Mr. Bradley to open the Special Town Meeting warrant and include the PILOT Agreement article and to close the Special Town Meeting warrant. The vote was unanimous.

Discussion and Vote South Shore Taco Truck – Application for Annual Peddler’s License – Mr. Keller moved, seconded by Mr. Bradley to approve the application for an Annual Peddler’s License for South Shore Taco Truck contingent upon requirements being fulfilled. The vote was unanimous.

Discussion and Vote on Immediate and Necessary Demolition of a Residence at 5 Brunswick Street – Mr. Kelleher read the letter from Building Commissioner Jim Folkard regarding the demolition of a residence at 5 Brunswick Street with corresponding letters and pictures. Casey Vaughn Building Department Administrative Assistant and Andrew Stewart Local Building Inspector appeared before the Board to explain that they had complied with all procedures and exhausted all efforts before asking for permission for the necessary demolition of the residence as it was extremely unsafe as well as a fire hazard. Mr. Kelleher moved, seconded by

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Mr. Bradley to approve the demolition of the residence at 5 Brunswick Street. The vote was unanimous.

Discussion and Vote on Reappointment of Richard Rodwell to Waterways Committee – Mr. Kelleher thanked Mr. Rodwell for his interest in being reappointed to the Waterways Committee. Mr. Kelleher moved, seconded by Mr. Bradley to reappoint Richard Rodwell to the Waterways Committee. The vote was unanimous.

Vote to Accept Minutes – Mr. Kelleher moved, seconded by Mr. Bradley to approve the minutes of February 24, 2020. The vote was unanimous.

Executive Session - Mr. Kelleher moved, seconded by Mr. Bradley at 8:17 p.m. to go into Executive Session to discuss strategy with respect to collective bargaining negotiations with union personnel pursuant to Mass. Gen. L. c. 30A sec. 21(a)(2): to wit: Association of Marshfield Police and Marshfield Firefighters Local 2568;

to discuss strategy with respect to pending litigation where an open meeting may have a detrimental effect on the litigating position of the Town of Marshfield and the chair so declares pursuant to Mass. Gen. L. c. 30A sec. 21(a)(3): to wit: employment related matters;

and to discuss strategy with respect to potential litigation that clearly that is demonstrably likely where the discussion of said potential litigation in an open meeting may have a detrimental effect on the litigating position of the Town of Marshfield and the chair so declares pursuant to Mass. Gen. L. c. 30A sec. 21(a)(3) and not to return to Open Session. Roll call vote: Mr. Rohland, - aye, Mr. Kelleher – aye, Mr. Bradley – aye. The vote was unanimous.

Respectfully submitted,

Beverly Wiedemann

Documents and exhibits presented at this meeting were the following: copy of power point presentation regarding Use of Force from Police Chief, copy of email with copy of vote of the Board of Selectmen on Bond Debt exclusion with copy of related financial information, copies of emails and power point presentation regarding new LOMR maps, copy of new Special Town Meeting article regarding PILOT Agreement, copy of list of seasonal all alcohol licenses and copy of letter regarding parking for REXICANA Surf Cantina with copy of common victualler and entertainment licenses for REXICANA Surf Cantina, copy of email and application regarding Peddler’s License application for South Shore Taco Truck, copy of letters and copies of photos of 5 Brunswick Street slated for demolition, copy of email from Richard Rodwell regarding reappointment and copy of minutes of February 24, 2020.