

**MINUTES – SELECTMEN’S MEETING
MONDAY, JULY 16, 2018 AT 6:30 P.M.
MARSHFIELD TOWN HALL – SELECTMEN’S HEARING ROOM**

Present: James J. Fitzgerald, Chairman; Joseph E. Kelleher, Vice-Chair; Michael A. Maresco, Town Administrator; Michael G. Bradley – excused

Mr. Fitzgerald opened the meeting at 6:44 p.m. and stated that the Board would be going into Executive Session.

Executive Session Mr. Fitzgerald moved at 6:44 p.m. seconded by Mr. Kelleher to go into Executive Session in the Town Administrator’s office for purposes of pending litigation and that an open meeting may have a detrimental effect on the litigating position of the body and that the Board will return to Open Session. The vote was 2-0. Roll call vote: Mr. Kelleher – aye, Mr. Fitzgerald – aye.

The Board moved to the Town Administrator’s office.

Mr. Fitzgerald moved at 7:25 p.m. to come out of Executive Session and return to Open Session in the Selectmen’s hearing room. The vote was 2-0. Roll call vote: Mr. Kelleher – aye, Mr. Fitzgerald – aye.

Mr. Fitzgerald mentioned the Board had held an Executive Session first this evening and that this meeting was being recorded by MCTV.

Roche Bros. Application for Change of Manager – Mr. Fitzgerald opened the hearing and asked the new proposed manager to come forward. Mr. Paul Gaughan appeared before the Board. Mr. Fitzgerald then read the letter from Roche Bros. regarding tonight’s application for Change of Manager. Mr. Fitzgerald then noted that the application for the ABCC seemed to be in order and asked Mr. Gaughan to give some background of his experience. Mr. Gaughan explained that he had worked for Roche Bros. for over 32 years and had extensive experience selling beer and wine and that he was TIPS certified and very comfortable with the policies and procedures. Mr. Kelleher commented that Mr. Gaughan’s resume was very impressive. Mr. Maresco remarked that everything was in order. Mr. Fitzgerald moved, seconded by Mr. Kelleher to approve the change of manager from Phillip Pilon to Paul Gaughan. The vote was 2-0.

Waterways Committee Rivers and Waterways Management Plan – Mr. Michael McNamara, Chairman of the Waterways Committee and Mike Dimeo, Harbormaster appeared before the Board. Mr. McNamara noted that they are making a lot of progress in some areas and not as much in other areas of their management plan. Mr. DiMeo discussed the dredging that was accomplished in the narrows of Green Harbor and the near completion of the Maritime Center. Both Mr. McNamara and Mr. DiMeo discussed the plan they had with Scituate regarding the dredging of the South River and that Marshfield has all their permits in place but the Town of Scituate does not which is causing a delay as well as a delay with state funding. Mr. McNamara also discussed the preliminary study of the Brant Rock’s dykes and their effects on the harbor. Mr. McNamara further discussed some of their accomplishments as well as their future goals. Mr. McNamara recommended that there be a couple of joint meetings in the future with representatives from the Board of Selectmen, the Harbormasters from Marshfield and Scituate and the Waterways Chairman in order to facilitate the necessary accomplishments of their goals. The Board thanked the Waterways Committee for their hard work and specifically Mr. McNamara as he was resigning from the Committee after many years.

Town Administrator’s Report - Mr. Maresco gave an oral report on the following:

- July 3 –invited by the Police Chief to go to the Police Station and thanked them for their services on 3rd and 4th of July.
- July 5 – met with Howard Nell regarding a solar company. Met with Carol Hamilton and Fred Russell regarding RFQ for senior center and chose K.P. Architects. Met with Fred Russell again later that day for his updates.
- July 9 – had a meeting with the Harbormaster for an update on the Maritime Building and when the Lt. Governor will be here for ceremony in August. Also met with members of DPW, Chairman Fitzgerald and Patrick DelloRusso in the afternoon.

MINUTES – SELECTMEN’S MEETING
MONDAY, JULY 16, 2018
PAGE TWO

- July 10 and July 11- went with Patrick Dello Russo, water dept. employee and BPW chair to Rutland Vermont to visit Fathom Water Company
- July 12 - held meeting with official from MIIA insurance and Town Counsel regarding a legal issue.
- July 16 - currently working on getting swipe key access to Town Hall. Met with Bill Finn today regarding the plaque for the South River Park and held conference call with Chris Cunio regarding issue at skate park.

Acceptance of BANS and Bonds sold on July 11, 2018 - Mr. Patrick DelloRusso Treasurer/Collector and Ms. Christine McCarthy, Town Accountant appeared before the Board. Mr. DelloRusso discussed the recent sale of the Bonds and the fact the Town currently has an AA+ rating. Mr. DelloRusso indicated that the Town is in good financial standing and would be able to move a substantial amount of money for any capital project. Mr. DelloRusso thanked both Mike Maresco and Christine McCarthy and stated that they have closed out Fiscal Year 2018. Mr. Fitzgerald stated that since Mr. Bradley is not here tonight, Mr. Kelleher would have to be the acting clerk. Mr. Kelleher then read the vote of the Board as follows:

I, the Acting Clerk of the Board of Selectmen of the Town of Marshfield, Massachusetts (the “Town”), certify that at a meeting of the board held July 16, 2018, 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 \$2,792,000 General Obligation Municipal Purpose Loan of 2018 Bonds of the Town dated July 26, 2018 (the “Bonds”) to Robert W. Baird & Co., Inc., at the price of \$2,898,171.19 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on July 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>
2019	\$147,000	3.00%	2029	\$140,000	3.00%
2020	145,000	3.00	2031	280,000	3.00
2021	145,000	3.00	2032	140,000	3.00
2022	140,000	3.00	2033	140,000	3.125
2023	140,000	5.00	2034	135,000	3.125
2024	140,000	5.00	2035	135,000	3.25
2025	140,000	5.00	2036	135,000	3.25
2026	140,000	5.00	2037	135,000	3.375
2027	140,000	5.00	2038	135,000	3.375
2028	140,000	3.00			

Further Voted: that the Bonds maturing on July 15, 2031 (a “Term Bond”) shall be subject to mandatory redemption or mature as follows:

Term Bond due July 15, 2031

<u>Year</u>	<u>Amount</u>
2030	\$140,000
2031*	140,000

*Final Maturity

Further Voted: to approve the sale of the \$10,955,764 3.00 percent General Obligation Bond Anticipation Notes of the Town dated July 27, 2018, and payable

**MINUTES – SELECTMEN’S MEETING
MONDAY, JULY 16, 2018
PAGE THREE**

July 26, 2019 (the “Notes”) to J.P. Morgan Securities LLC at par and accrued interest, if any, plus a premium of \$147,135.91.

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 June 29, 2018, and a final Official Statement dated July 11, 2018 (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 June 29, 2018, and a final Official Statement dated July 11, 2018, 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 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.

Further Voted: that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the 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.

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 or the Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

Dated: July 16, 2018 seconded by Mr. Fitzgerald. The vote was 2-0.

FY2018 Appropriation Transfers – Ms. McCarthy passed out the requested appropriation transfers to the members of the Board of Selectmen. Ms. McCarthy explained the transfers to the Board and noted that there will be funds available due to free cash. Mr. Fitzgerald commented that he didn’t remember seeing this many departments having a surplus at the end of the year. Mr. Maresco mentioned that the DPW really stepped up and were willing participants. Mr. Fitzgerald noted that the Police & Fire Depts. are always good. The Board then signed the appropriation transfers.

MINUTES – SELECTMEN’S MEETING
MONDAY, JULY 16, 2018
PAGE FOUR

Jeremiah Folkard – Employee Disclosure from Financial Interest in a Particular Matter and Jeremiah Folkard – Employee Disclosure for Appearance of Favoritism or Influence -

Mr. Fitzgerald mentioned that Jim Folkard had sent in an ethics disclosure under G.L. c. 268A §19 regarding Financial interest in a particular matter as a local construction company is owned by an immediate family member and that he has no ownership or financial interest in his family member’s company. Mr. Fitzgerald then stated that Mr. Folkard also had sent in ethics disclosures G.L. c. 268A §23(b) (3) regarding appearance of favoritism because he has a family member who owns a construction company. Mr. Fitzgerald moved, seconded by Mr. Kelleher to accept ethics disclosure G.L. c. 268A § 19 and G.L.c. 268 A §23(b)(3). The vote was 2-0.

North River Community Church – Request to use Town Hall Lawn - Mr. Fitzgerald read the letter from Todd Szymczak of the North River Community Church requesting permission to use the Town Hal lawn on August 11, 2018 to show a family movie, Disney’s Pixar’s Cars 3. Mr. Fitzgerald moved, seconded by Mr. Kelleher to approve the use of the Town Hal lawn on August 11, 2018 from 6:00 p.m. – 9:00 p.m. The vote was 2-0.

Quirk Auto Group – One Day Entertainment License (July 22, 2108) - Mr. Fitzgerald read from the application for entertainment for the Quirk Auto Group Car Show for July 22, 2018. Mr. Fitzgerald moved, seconded by Mr. Kelleher to approve the One Day Entertainment License for July 22, 2018 pending approval of the appropriate safety personnel. The vote was 2-0.

Caring for a Cure Road Race – November 4, 2018 - Mr. Fitzgerald read the letter from Theresa Weiland and Heather O’Neill, MHS Peer Leaders requesting permission to hold the 7th annual 5k road race in Marshfield on November 4, 2018 in order to raise funds for Caring for a Cure sponsored by the nurses at Mass General Hospital. Mr. Fitzgerald moved, seconded by Mr. Kelleher to grant permission to Marshfield High School peer leaders to hold the road race on November 4, 2018, contingent upon approval of the Safety Officer. The vote was 2-0.

North River Arts Society – One Day Wine & Malt Licenses (August 4 & August 30) - Mr. Fitzgerald read the request from Barbara Chaisson regarding two separate applications for Beer & Wine Licenses for the North River Arts Society at the GAR Hall. Mr. Fitzgerald noted that they had their liquor liability certificate. Mr. Fitzgerald moved, seconded by Mr. Kelleher to approve the One Day Wine & Malt Licenses for the North River Arts Society on August 4, 2018 and August 30, 2018. The vote was 2-0.

Police Department – Permission to Accept Donation – Mr. Fitzgerald read the letter from the Police Chief requesting permission to accept a donation from the Copeland Family Foundation of \$5,000 to be used specifically for the D.A.R.E. education program. Mr. Fitzgerald thanked the Copeland Family. Mr. Fitzgerald moved, seconded by Mr. Kelleher to allow the Police Department to accept the donation. The vote was 2-0.

Vote to Dissolve Charter Review Committee – Mr. Fitzgerald read the memo from Bill Bowers requesting permission to dissolve the Charter Review Committee. Mr. Fitzgerald and Mr. Kelleher thanked all the members for all their efforts for over the past two years. Mr. Fitzgerald moved, seconded by Mr. Kelleher to dissolve the Charter River Committee. The vote was 2-0.

New Appointment to Open Space Committee – Jon Haitsma - Mr. Fitzgerald read the email from Karen O’Donnell, Chair of the Open Space Committee recommending Jon Haitsma as a member of the Open Space Committee. Mr. Fitzgerald moved, seconded by Mr. Kelleher to appoint Jon Haitsma as an at-large member of the Open Space Committee. The vote was 2-0.

Board/Committee Reappointments - Mr. Fitzgerald read the following list of reappointments for 3 year terms expiring on June 30, 2021: Tom Scollins Advisory Board; Stephen Lahti, Energy Committee; Christopher Head, North River Commission; Brian Spano, Recreation Commission; Trustees of Ventress Library, Suzanne White and Waterways Committee, Gregory DeCesare.

**MINUTES – SELECTMEN’S MEETING
MONDAY, JULY 16, 2018
PAGE FIVE**

Mr. Fitzgerald moved, seconded by Mr. Kelleher to reappointment the names as read for 3 year terms to expire on June 30, 2021. The vote was 2-0.

Acceptance of Minutes – Mr. Fitzgerald moved, seconded by Mr. Kelleher to approve the minutes of June 29, 2018. The vote was 2-0. The minutes from July 2, 2018 had not been reviewed.

Executive Session – Mr. Fitzgerald moved at 8:28 p.m., seconded by Mr. Kelleher to go into Executive Session in the Town Administrator’s office for the purpose of land acquisition and that an open session would have a detrimental effect on the bargaining position of the body and not to reconvene into Open Session. The vote was 2-0. Roll call vote: Mr. Kelleher –aye, Mr. Fitzgerald –aye.

Respectfully submitted,

Beverly Wiedemann

Documents and exhibits presented at this meeting were the following: application and corresponding documents for change of manager at Roche Bros; copy of Management Plan from the Waterways Committee; copy of vote of Board of Selectmen on Bonds and Notes; copy of email from Town Accountant with copies of Request for Appropriation Transfers Between or Within Departments; copy of letter from North River Community Church and corresponding email regarding use of Town Hall lawn; copy of One Day Entertainment application with copy of Marshfield Fair Grounds Use Permit from Quirk Auto Group; copy of letter from Marshfield High School peer leaders and copy of corresponding email from Fire Department; copy of One Day Wine & Malt Applications from North River Arts with copy of certificates of liability insurance; copy of letter from Chief Tavares regarding acceptance of donation for D.A.R.E. program; copy of list of reappointments; copy of Ethics Disclosure G.L. c. 268 A§ 19 and copy of Ethics Disclosure G.L. c. 268A § 23 (b) (3) from Jim Folkard; copy of minutes from June 29, 2018 and July 2, 2018.