

Holbrook Board of Selectmen
Minutes of the Regular Session of
Wednesday, May 13, 2020

Present: Daniel R. Lee, Chairman
Joshua Reilly, Vice-Chairman
Lindsay Vayda, Clerk
Pamela E. Campanella, Associate
Richard B. McGaughey, Associate

In attendance: Marjorie Godfrey, Assistant Town Administrator
Several Department Heads and members of the public attended via Zoom

This meeting was held live on Zoom, and available to the public via a Zoom link and log in information posted on the agenda. The Zoom meeting was recorded and broadcast on the Community Access Channels, and available on the Holbrook Community Access and Media (HCAM) website.

MINUTES:

MOTION: By Ms. Vayda, second by Mr. Reilly, that the Board accept the minutes of the regular session of Wednesday, March 18, 2020, as printed

VOTE: Ms. Campanella – Yes; Ms. Vayda – Yes; Mr. Reilly – Yes; Mr. Lee – Yes; Mr. McGaughey – Yes

MOTION: By Ms. Vayda, second by Mr. Reilly, that the Board accept the minutes of the regular session of Wednesday, April 1, 2020, as printed

VOTE: Ms. Campanella – Yes; Ms. Vayda – Yes; Mr. Reilly – Yes; Mr. Lee – Yes; Mr. McGaughey – Yes

The renewal of the Union Street Lanes' bowling alley and pool table license was considered.

MOTION: By Ms. Vayda, second by Mr. Reilly, that the Board of Selectmen renew the Bowling Alley & Pool Table License in the name of Union Street Lanes, LLC, 231 Union Street, effective May 1, 2020, to include 16 bowling alleys and two pool tables

VOTE: Ms. Campanella – Yes; Ms. Vayda – Yes; Mr. Reilly – Yes; Mr. Lee – Yes; Mr. McGaughey – Yes

Fire Chief Luke McFadden was present to answer any questions about his request for approval of the most recent ambulance abatements.

MOTION: By Ms. Vayda, second by Mr. Reilly, that the Board of Selectmen grant the ambulance abatements for the quarter including January 1, 2020 through March 31, 2020, in the amount of Three Hundred Ninety Thousand Fifteen Dollars and forty-three cents (\$390,015.43), as presented and recommended by the Fire Chief

VOTE: Ms. Campanella – Yes; Ms. Vayda – Yes; Mr. Reilly – Yes; Mr. Lee – Yes; Mr. McGaughey – Yes

Superintendent of Public Works Christopher Pellitteri explained that the construction of Ashley Court was left in an incomplete condition by the developer, and the drainage was not installed properly 25 years ago. A sink hole has formed at 179 Pond Street and something has to be done to alleviate the

drainage issue in the area. It appears that water is being directed there from other properties. Town Counsel has advised that it may be possible to use the remainder of the bond posted by the developer, but there may not be enough available to do the complete job. Mr. Pellitteri asked that he or Mr. Eric Erskine, the Inspectional Services Director, be authorized to look into accessing the funds to pay for the drainage. Town Counsel also advised that a limited access agreement would need to be executed to hold harmless and indemnify the Town, so the Town would not be liable going forward. The homeowner, Mrs. Stephanie O'Keefe, has been advised that accessing the funds could be a long process.

Chairman Lee said the bond is \$19,500. The developer has to be notified and given the chance to fix the problem before the Town can access any bond funds. Mr. Lee said there is no time to wait – the problem should be addressed as soon as possible, and money may need to be appropriated at town meeting.

Mrs. O'Keefe said time is of the essence. Mr. Pellitteri said it will take a couple of weeks to get the paperwork and access the funds. Mr. Erskine explained that the contractor/developer has to release the funds because they are his funds, and there may be time limitations. A letter must be sent in order to contact the developer right away to start the process.

Mr. Pellitteri said two local contractors have been contacted about how the issues can be corrected, and a combination of their ideas could be used to do a repair with available funds that will mitigate the drainage as it is to alleviate the issue. It was explained that there are a couple of other neighbors dumping into the area, but the beginning of the pipes that have been found cannot be located.

Mrs. O'Keefe said she is satisfied if it keeps moving along.

Mr. Reilly left the room for this discussion.

Chairman Lee explained that an email went out on Monday about the annual town meeting being scheduled for June 24th at the Middle High School, but the Superintendent does not seem willing to allow the Town to use the building. Town Counsel has said that it is the Board of Selectmen that determines the date, time and location of both the elections and the town meetings. Mr. Lee reached out to Town Clerk Jeanmarie Tarara. Town Counsel has recommended that the Town set the dates of the annual town election and the annual town meeting as soon as possible. There is no legislation to date that allows the election to be moved past June 30th. Mr. Lee suggested that the Board schedule the town election on Saturday, June 20th, and the annual town meeting on Wednesday, June 24th. Mr. Lee indicated he had consulted with the Town Clerk about the election. Voting by mail will be encouraged. Ms. Vayda asked that the Board vote at the next meeting, and Mr. Reilly returned to his seat.

MOTION: By Mr. McGaughey, second by Mr. Lee, that the Board of Selectmen reschedule the annual town election for June 20, 2020

ROLL CALL VOTE: Mr. McGaughey – Yes; Mr. Lee – Yes; Ms. Vayda – No; Ms. Campanella – No; Mr. Reilly – Abstained

MOTION FAILED

MOTION: By Ms. Vayda, second by Mr. McGaughey, that the Board of Selectmen reschedule the annual town election to Saturday, June 27, 2020, at Holbrook Middle High School

ROLL CALL VOTE: Mr. McGaughey – Yes; Mr. Lee – Yes; Ms. Vayda – Yes; Mr. Reilly – Abstain; Ms. Campanella – Abstained

MOTION PASSED

The Board considered the renewal of the Town's workers' compensation insurance for FY2021.

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MOTION: By Ms. Vayda, second by Mr. McGaughey, that the Board of Selectmen authorize the Chairman to execute a Participation Agreement & Bind Order with the Massachusetts Education and Government Association of Property and Casualty Self-Insurance Group, Inc. for the renewal of the Town's Workers' Compensation Insurance, effective July 1, 2020

ROLL CALL VOTE: Ms. Vayda – Yes; Mr. McGaughey – Yes; Mr. Lee – Yes; Ms. Campanella – Yes; Mr. Reilly – Abstained

Discussion took place about rescheduling the annual town meeting to 7:15 pm on Wednesday, June 24th at Holbrook Middle High School, and opening the warrant tonight and closing it on May 20th. The Board wanted to give the Town Clerk time to rejoin the meeting with audio and decided to continue this discussion after the next agenda item.

The Board discussed a recent BOND SALE.

MOTION: By Ms. Vayda, second by Mr. Lee, that I, the Clerk of the Board of Selectmen of the Town of Holbrook, Massachusetts (the "Town"), certify that at a meeting of the board held May 13, 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 \$4,275,000 General Obligation Municipal Purpose Loan of 2020 Bonds of the Town dated May 20, 2020 (the "Bonds"), to FHN Financial Capital Markets at the price of \$4,613.922.00 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on May 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

Year	Amount	Interest Rate	Year	Amount	Interest Rate
2021	\$330,000	5.00%	2027	\$245,000	5.00%
2022	330,000	5.00	2028	245,000	5.00
2023	330,000	5.00	2030	335,000	2.00
2024	320,000	5.00	2032	320,000	2.10
2025	320,000	5.00	2034	320,000	2.15
2026	245,000	5.00	2040	935,000	2.25

Further Voted: that the Bonds maturing on May 15, 2030, May 15, 2032, May 15, 2034 and May 15, 2040 (each a "Term Bond") shall be subject to mandatory redemption or mature as follows:

Term Bond due May 15, 2030

Year	Amount
2029	\$170,000
2030*	165,000

*Final Maturity

Term Bond due May 15, 2032

Year	Amount
2031	\$160,000
2032*	160,000

*Final Maturity

Term Bond due May 15, 2034

Year	Amount
2033	\$160,000
2034*	160,000

*Final Maturity

Term Bond due May 15, 2040

Year	Amount
2035	\$160,000
2036	155,000
2037	155,000
2038	155,000
2039	155,000
2040*	155,000

*Final Maturity

Further Voted: to approve the sale of a \$1,755,000 1.45 percent General Obligation Bond Anticipation Note of the Town dated May 29, 2020 and payable August 28, 2020 (the "Note"), to be issued through the State House note program, to Unibank for Savings at par and accrued interest, if any.

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 April 28, 2020, and a final Official Statement dated May 7, 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 a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds 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 Note 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 or the Note 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.

Dated: May 13, 2020

Clerk of the Board of Selectmen

ROLL CALL VOTE: Ms. Vayda – Yes; Mr. McGaughey – Yes; Mr. Lee – Yes; Ms. Campanella – Yes; Mr. Reilly – Yes

The Board considered a Bond Anticipation Note (BAN).

MOTION: By Ms. Vayda, second by Ms. Campanella, that the Board of Selectmen vote to execute a Bond Anticipation Note (BAN) in the amount of \$1,755,000 which funds a portion of the \$6,000,000 School BAN due from the Massachusetts School Building Authority

ROLL CALL VOTE: Mr. McGaughey – Yes; Mr. Lee – Yes; Ms. Campanella – Yes; Ms. Vayda – Yes; Mr. Reilly – Yes

Town Clerk Jeanmarie Tarara explained that she wanted to reschedule the annual town election as late as possible due to COVID-19. Mr. Lee said Saturday, June 27th, is only three days before the end of the year, and the election has to be scheduled by June 30th. The Town Clerk indicated she wanted everyone to stay safe, and Mr. Lee assured her that the equipment necessary to keep everyone safe can be purchased.

Town Clerk Tarara said she did not see an email about the town meeting being rescheduled for June 24th, and Mr. Lee explained that it has to be rescheduled by June 30th. Mr. Reilly left the meeting temporarily.

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MOTION: By Ms. Vayda, second by Ms. Campanella, that the annual town meeting be rescheduled for June 30th, 2020, at 7:15 pm, at Holbrook Middle High School

ROLL CALL VOTE: Mr. McGaughey – Yes; Ms. Vayda – Yes; Mr. Lee – Yes; Ms. Campanella – Yes; Mr. Reilly was absent from the meeting

Ms. Vayda was advised that the report on the Treasurer/Collector's office would be available on May 14th.

Ms. Campanella requested that there be further discussion and consideration on filling the Interim Town Administrator's position. The discussion will continue at the next meeting.

Mr. Reilly returned to the meeting on Zoom.

MOTION: At 8:25 pm, made and seconded, to adjourn the meeting

ROLL CALL VOTE: Ms. Vayda – Yes; Ms. Campanella – Yes; Mr. Lee – Yes; Mr. McGaughey – Yes; Mr. Reilly – Yes

Lindsay Vayda, Clerk

Documents:

Minutes

Union St. Lanes license app

Ambulance bill abatement request

MEGA participation agreement