

**SELECT BOARD MEETING MINUTES
FEBRUARY 11, 2019 at 6:30pm
TOWN HALL, SELECT BOARD CONFERENCE ROOM**

CALL TO ORDER/OPENING

Chairwoman Provencher called the meeting to order at 6:31pm. Chair Dianna Provencher, Vice Chair Sandra Wilson, Selectman Harry Brooks, Selectman Rick Antanavica, Town Administrator David Genereux, Assistant to the Town Administrator Kristen Forsberg and Student Liaisons Alyssa Pupillo and Katheryn Stapel were in attendance. 2nd Vice-Chair Brian Green was out of town.

1. SCHEDULED ITEMS

a. 6:30pm - WRTA Open Position Discussion

Doug Belanger discussed an open position on the WRTA Board for a person with disabilities. The term is for one year and if the Leicester Select Board made a recommendation to the WRTA, it could mean an additional voice for Leicester on the Board. The Board agreed to reach out and see if anyone was interested.

b. 6:35pm - Permanent Note Sale for Library, Hillcrest House and Highway Equipment

David Eisenthal of Unibank, the Town's financial advisor, presented a proposed bond issue for \$1.9M for the Library, \$100K for the purchase of the house at Hillcrest and \$910,000 for the highway equipment debt exclusion at a rate of 2.87% for 20 years.

A motion was made by Ms. Wilson and seconded by Mr. Antanavica to approve the bond issue using the motion enclosed as Attachment A. The motion carried 4:0:0.

c. 6:45pm - Safety Review of Baldwin St/River St Intersection

Chief Antanavica discussed a safety review of the intersection at Baldwin and River Streets. Chief recommended that in addition to the work done over the summer, one additional pine tree needs to be removed and one additional "stop sign ahead" sign should be added heading north on Baldwin Street.

2. PUBLIC COMMENT PERIOD

No members of the public provided comment

3. REPORTS & ANNOUNCEMENTS

a. Student Liaison Reports

The student liaisons provided updates from the Leicester Public Schools including the Yankee Candle fundraisers at Primary, the 100th day of school celebrated at Primary on February 5th, parent teacher conferences and the scholastic book fair at the middle school, and parent teacher conferences at the high school in addition to the collection of shoe donations to fund an accessible wheelchair van for student Eddie Besse. February vacation begins Monday, February 18th and students return on February 25th. A half day will be held on Friday, March 1st for professional development and tomorrow there will be a two-hour early dismissal due to the weather.

b. Select Board Reports

The Select Board discussed various topics including congratulating LCAC on their 25th anniversary, the Special Olympics dance which raised \$1,000, the boy scouts pancake breakfast held last Saturday, the passing of former Leicester teacher Carol Fauerbach, hardships families face in Leicester which could affect their ability to pay for an increase in taxes due to the override and to be careful in the upcoming storm.

c. Town Administrator Report

This item was passed over as it was included in the packet

4. OTHER BUSINESS

a. Water/Sewer Discussion

Mr. Genereux noted he scheduled an informal meeting to discuss options with the water and sewer districts and the Board for Tuesday but was informed that Leicester and Hillcrest could not make it last Thursday so he is working to reschedule the meeting for the week of the 25th. The Board discussed having an informal working group versus and more formal committee with posted meetings and decided to move forward with the informal meeting the week of the 25th then go from there. The group needs to discuss the cherry valley sewer district issue and if they want to collaborate on a town-wide water/sewer study using potential federal and state funding. Ms. Provencher agreed to have Mr. Green and Mr. Brooks serve on the informal working group. Mr. Genereux noted that the Department of Local Services is aware of the impending bankruptcy of Cherry Valley Sewer District and is discussing the matter internally.

b. Parks and Rec Donation – Tarentino Playground

A motion was made by Mr. Brooks and seconded by Ms. Wilson to accept the \$40 donation to Parks and Rec in memory of Gordon O'Rourke for the Tarentino Playground fund. The motion carried 4:0:0.

c. Police Department Donations – Unrestricted

A motion was made by Mr. Brooks and seconded by Mr. Antanavica to accept the donations to the Police Department totaling \$650 in memory of Richard Forgit. The motion carried 4:0:0.

d. Common Victualler Transfer of Ownership – B-law's Diner to Farmhouse Diner – 15 S. Main Street

A motion was made by Mr. Brooks and seconded by Mr. Antanavica to approve the common victualler license transfer of ownership from B-Law's Diner to Farmhouse Diner at 15 S. Main Street. The motion carried 4:0:0.

e. Middle School Feasibility Study Contract Amendment

A motion was made by Mr. Brooks and seconded by Ms. Wilson to approve Amendments #1 and #2 to the Middle School Feasibility Study contract with Finegold Alexander to add \$17,160 for geotechnical engineering services and \$23,682 for site survey expenses. The motion carried 4:0:0.

HB, SW AIF

f. FY 2020 Budget Review & Proposed Prop 2 ½ Override Discussion

Mr. Genereux discussed the FY20 budget including the need to watch the streetlights, veterans services and library utilities budgets carefully as they are subject to change. Ms. Wilson requested that a discussion of the Town paying for new streetlights be added to the next agenda. Robert Sweeney, resident at 450 Marshall Street discussed his opposition to the proposed override, stating he is a retiree facing escalating costs on a fixed income, and asked the Board not to put the override on the spring town meeting warrant. Mr. Genereux noted that the proposed override which includes \$208,000 for staffing, \$70,000 for cleaning services for Town owned buildings and \$50,000 in professional services (e.g. electrical, plumbing, roofing etc.) must pass at both Town Meeting in May and on the June ballot. Mr. Genereux clarified that this proposal does not include building maintenance for the schools, only snow removal and field maintenance for the schools. This is a cost savings to the schools and the municipal departments will benefit from increased highway staffing and the creation of a buildings and grounds division. If approved, an annual maintenance plan would be set up to address deferred and preventative maintenance and a portion of funds would be kept aside for emergencies and maintenance requests.

g. Board and Committee Appointment Discussion

Mr. Genereux brought forward a concern from a resident who had applied to several boards/committees in Town and never received a response. Ms. Forsberg noted that applications received are forwarded to the chairs of the board/committee applied for and a recommendation to the select board is requested from that board/committee. The Board requested boards and committees be given a deadline for response, after which the application would be placed on a Board agenda and the applicant would be asked to attend that Board meeting. All applications received for each position would be included in the packet even if a recommendation is received from the respective board/committee. The Board also requested that the proposed expansion of the Burncoat Park Sports Planning Committee and the creation of a public safety committee that would oversee, among other matters, the logistics of the holiday tree lighting ceremony on the common.

h. Select Board 3-5 Year Goals Discussion

The Board decided to hold a 3-5 year goaling retreat on March 25th at 6pm. The Board asked Ms. Forsberg to reach out to Becker regarding space for this meeting and catering.

5. MINUTES

a. January 28, 2019

This item was passed over

6. EXECUTIVE SESSION, MGL CHAPTER 30A, SECTION 21A

a. Executive Session Minutes

b. Exceptions 3 & 7 – Discuss strategy with respect to litigation (BSI Litigation); meeting with Town Counsel pursuant to G.L. c. 30A, §21(a)(3) and (7) and Suffolk Construction v. DCAM, 449 Mass. 444 (2007) to discuss pending litigation in the case of BSI v. Town of Leicester, Civil Action No. 1885CV00985

A motion was made by Ms. Wilson and seconded by Mr. Brooks to enter into executive session at 9:00pm under Exceptions 3 & 7, to discuss strategy with respect to litigation (BSI Litigation); meeting with Town Counsel pursuant to G.L. c. 30A, §21(a)(3) and (7) and Suffolk Construction v. DCAM, 449 Mass. 444 (2007) to discuss pending litigation in the case of BSI v. Town of Leicester, Civil Action No. 1885CV00985. The Chair declared that to discuss these matters in open session would compromise the position of the town. Roll call: All Ayes

A motion to adjourn was made by Mr. Brook and seconded by Ms. Wilson at 9:25pm. The motion carried 4:0:0.

ATTACHMENT A

VOTE OF THE SELECT BOARD

I, the Clerk of the Board of Selectmen ("the Select Board") of the Town of Leicester, Massachusetts (the "Town"), certify that at a meeting of the board held February 11, 2019, 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 \$2,850,000 General Obligation Municipal Purpose Loan of 2019 Bonds of the Town dated February 14, 2019 (the "Bonds"), to Robert W. Baird & Co., Inc. at the price of \$2,965,561.82 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on February 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	\$235,000	5.000%	2027	\$90,000	3.000%
2021	250,000	5.000	2028	90,000	3.000
2022	260,000	5.000	2031	290,000	3.000
2023	275,000	5.000	2033	205,000	3.000
2024	290,000	5.000	2035	220,000	3.000
2025	80,000	3.000	2037	235,000	3.125
2026	85,000	3.000	2039	245,000	3.250

Further Voted: that the Bonds maturing on February 1, 2031, February 1, 2033, February 1, 2035, February 1, 2037 and February 1, 2039 (each a "Term Bond") shall be subject to mandatory redemption or mature as follows:

Term Bond due February 1, 2031

<u>Year</u>	<u>Amount</u>
2029	\$95,000
2030	95,000
2031*	100,000

*Final Maturity

Term Bond due February 1, 2033

<u>Year</u>	<u>Amount</u>
2032	\$100,000
2033*	105,000

Term Bond due February 1, 2035

<u>Year</u>	<u>Amount</u>
2034	\$110,000
2035*	110,000

Term Bond due February 1, 2037

<u>Year</u>	<u>Amount</u>
2036	\$115,000
2037*	120,000

Term Bond due February 1, 2039

<u>Year</u>	<u>Amount</u>
2038	\$120,000
2039*	125,000

*Final Maturity

Further Voted: to approve the sale of a \$1,423,305 2.35 percent General Obligation Bond Anticipation Note of the Town being issued as a State House Note and dated February 15, 2019, and payable February 14, 2020 (the "Note"), to Eastern Bank 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 January 24, 2019, and a final Official Statement dated January 31, 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.

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 this Board 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 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 the Note.

Further Voted: that each member of this Board, 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 and the Note were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

Dated: February 11, 2019


Clerk of the Board of Selectmen

