

The regular meeting of the Board of Selectmen was held Tuesday, August 7, 2018 at 6:00 P.M., in the Daniel J. Toomey Hearing Room, Town Hall, Danvers.

Present: Gardner S. Trask, III, Chairman; Daniel C. Bennett; William H. Clark Jr; Diane M. Langlais; David A. Mills

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The Pledge of Allegiance was recited by all in attendance.

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On a motion by Selectman Langlais and seconded by Selectman Mills, the Board voted 4-0-1 (with Selectman Bennett abstaining) to approve the minutes from June 19, 2018.

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New Business:
None.

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The Board considered a request by Jeff Clickstein to erect two signs on Route 62 (one near Middleton and one near Beverly), honoring the DHS State Champion 2017-2018 Girls Soccer Team. On a motion by Selectman Bennett and seconded by Selectman Clark, the Board voted 5-0 to approve the installation of signs honoring the DHS State Champion 2017-2018 Girls Soccer Team up to but not exceeding the number of signs currently in place by the DHS Boys Basketball Team.

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The Board is requested to vote to take by Eminent Domain the fee simple of the following roadways laid out by the Board on May 8, 2018, accepted as Town Ways under Article 16 of the May 21, 2018 Annual Town Meeting; and, as authorized by Town Meeting, to acquire said fee in the ways: Bridle Spur Road, Conifer Hill Drive, Cornell Road, Doty Avenue, Gates Street, Hampshire Street, Healy Court, Regent Drive, and Twin Echo Lane. The Board voted 5-0 to approve the following motion made by Selectman Trask and seconded by Selectman Bennett: Selectman Trask moved that the Board of Selectmen take by Eminent Domain the fee simple of the following roadways laid out by the Board of Selectmen on May 8, 2018, accepted a Town Ways under Article 16 of the May 21, 2018 Annual Town Meeting, and as authorized by Town Meeting to acquire said fee in the ways: Bridle Spur Road, Conifer Hill Drive, Cornell Road, Doty Avenue, Gates Street, Hampshire Street, Healy Court, Regent Drive, and Twin Echo Lane. Said taking of each fee in the way as being more particularly described in the respective Order of Taking to be executed by the Board of Selectmen this date.

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A public hearing was held on the application of Packaging Center, Inc., d/b/a Super Stop & Shop, 301 Newbury Street, William Hanlon, Manager, for a Change of Officers at that location. An attorney representing Super Stop & Shop addressed the Board and explained the changes at the Corporate level. A motion to close the public hearing was made by Selectmen Clark and seconded by Selectmen Bennett. On a motion by Selectman Mills and seconded by Selectman Langlais, the Board voted 5-0 to approve the application.

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The Board was in receipt of an application by DCAT, 87 Elm Street, Gayla Bartlett, Manager, for a One-Day Wine and Malt license on Thursday, October 4, 2018 6-8 P.M. for an Oktoberfest event at that location. Gayla Bartlett addressed the Board and answered various question by the Board. On a motion by Selectman Bennett and seconded by Selectman Clark, the Board voted 5-0 to approve the application.

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A public hearing was held on the application of George Gikas, d/b/a Good Lickin Ice Cream Parlor, George Gikas, Manager/Owner, 46 Maple Street, for a Common Victualler License at that location. George Gikas appeared before the Board and answered various questions by

the Board. A motion to close the public hearing was made by Selectman Bennett and seconded by Selectman Langlais. On a motion by Selectman Langlais and seconded by Selectman Mills, the Board voted 5-0 to approve the application.

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The Board was in receipt of an application by Danvers Senior Center, 25 Stone Street, Paula Corcoran, Manager, for a One-Day Wine and Malt License on Wednesday, August 22, 2018, 5-7:30 P.M. for a National Accreditation Celebration at that location. The Town Clerk spoke on behalf of the Senior Center. On a motion by Selectman Langlais and seconded by Selectman Mills, the Board voted 5-0 to approve the application.

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The Board heard from Police Chief Patrick Ambrose regarding a violation of the Town's Liquor Licensing Guidelines. Chief Ambrose addressed the Board relative to a liquor guideline infraction that occurred July 4, 2018 at the Osborn Tavern. On a motion by Selectman Bennett and seconded by Selectman Langlais, the Board voted 5-0 to direct the Town Clerk to send a certified letter requesting Osborn Tavern to appear before the Board on September 6, 2018 for a hearing relative to this matter.

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The Board heard from Police Chief Patrick Ambrose regarding a nuisance/dangerous dog complaint. On a motion by Selectmen Bennett and seconded by Selectman Clark, the Board voted 5-0 to appoint Chief Ambrose as a hearing officer for findings of fact and a recommendation to the Board consistent with Massachusetts General Law. Chief Ambrose will appear before the Board with recommendations once hearings and recommendations are complete.

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Finance Director Travis Ahern provided the Board with an update of the Revenue and Expense Report through June 30, 2018.

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The Board was requested to vote to approve the sale of \$4,575,000 in General Obligation Bond Anticipation Notes. On a motion by Selectman Bennett and seconded by Selectman Clark the Board voted 5-0 to approve the following vote:

VOTE OF THE BOARD OF SELECTMEN

I, the Clerk of the Board of Selectmen of the Town of Danvers, Massachusetts, certify that at a meeting of the board held August 7, 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 we hereby determine, in accordance with G.L. c.70B, that the amount of the cost of the Smith School feasibility study project authorized by a vote of the Town passed on May 16, 2016 (Article 16) not being paid by the school facilities grant is a maximum of \$1,066,590 and we hereby approve of the issuance of notes and bonds up to such amount under said G.L. c.70B.

Further Voted: to approve the sale of the \$4,575,000 3.00 percent General Obligation Bond Anticipation Notes (the "Notes") of the Town dated August 17, 2018, and payable August 16, 2019, to TD Securities (USA) LLC at par and accrued interest, if any, plus a premium of \$50,142.00.

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 July 25, 2018, and a final Official Statement dated August 1, 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 a significant events 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 Notes for the benefit of the holders of the Notes from time to time.

Further Voted: that we authorize and direct the Town Treasurer to review and update the Town's post-issuance federal tax compliance procedures in consultation with bond counsel in order to monitor and maintain the tax-exempt status of the 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 Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended.

Dated: August 7, 2018

Joseph L. Collins

Clerk of the Board of Selectmen

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The Board was requested to authorize the Cable TV Advisory Committee to conduct a Public Hearing as it relates to a cable TV license extension for Verizon. On motion by Selectman Langlais and seconded by Selectman Mills, the Board voted 5-0 to authorize the hearing as requested.

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The Board considered whether to adopt the recently-revised "Code of Conduct". On a motion by Selectman Langlais and seconded by Selectman Clark, the Board voted 5-0 to adopt the revised "Code of Conduct".

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The Town Manager provided an update to the Board on items of interest, as follows:

- Smith School update
- St. John's Prep taxable activity
- Management Staff to serve lunch at the Senior Center on August 22nd
- GFOA notified the Town of CAFR for FY2017
- Finance Director hiring update

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Correspondence, Selectmen "New Business," previous "New Public Business" updates and Selectmen closing updates were provided, as follows:

- DPW projects starting before 7:00A.M.

- Transfer Station policy changes
- Impressed with paving improvements
- Thank you from Family Festival for town support

On a motion by Selectman Bennett and a second by Selectman Clark, the Board voted 5-0 to approve the following consent calendar items:

↳ Consent Calendar ↳

Gas Storage

- 161 Andover Street, LLC, d/b/a CarMax, 161 Andover Street
- ARCK Enterprises, Inc. 100 High Street

Car Wash

DHS Soccer, Saturday, September 15, 2018 8 A.M.-3 P.M., Elm Street parking lot (water truck to be used) [rain date Sunday September 16, 2018] (*date change*)

The Selectmen closing comments were offered, as follows:

Remember Veterans and active servicemen and women.

The meeting was adjourned at 7:53 P.M.

Attest: Joseph L. Collins
Town Clerk