

The regular meeting of the Board of Selectmen was held Tuesday August 6, 2019 at 6:00 P.M., in the Daniel J. Toomey Hearing Room, Town Hall, Danvers.

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

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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 Trask, the Board voted 4-0 to approve the minutes from July 9, 2019.

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New Business:

Resident Peter Kushnieruk addressed the Board regarding the Liberty Street, Elliott Street and Route 128 intersection.

Resident Richard Rowell addressed the Board regarding off season commercial fishing storage.

Resident Jane Fuller addressed the Board regarding Danversport Yacht Club boat slips.

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The Board was requested to approve a date/time change on a previously-approved One-Day Wine & Malt License **from October 12, 2019 5:30-7 P.M. to Thursday, October 10, 2019 6-8 P.M.** for an Alumni/Homecoming event at the Essex North Shore Agricultural & Technical School, Bonnie Carr, Director of Workforce Development. The Town Clerk reviewed the request of date change and answered various questions by the Board. On a motion by Selectman Trask and seconded by Selectman Langlais, the Board voted 4-0 to approve the change as requested.

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The Board was in receipt of an application for “A Reason to Ride” bike event (coordinator Thomas Desfosses) on Sunday, September 8, 2019, set up beginning at 6 A.M., ride beginning at 8 A.M., starting and ending at 75 Sylvan Street. Thomas Desfosses addressed the Board answering various questions by the Board. On a motion by Selectman Langlais and seconded by Selectman Trask, the Board voted 5-0 to approve the application.

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The Board was in receipt of an application for a first-time Block Party by event coordinator Sean Doherty, 7 Salvatore Circle, Sunday, September 1, 2019, 12-8 P.M., blocking from 7-10 Salvatore Circle. Sean Doherty addressed the Board and answered various questions by the Board. On a motion by Selectman Langlais and seconded by Selectman Trask, the Board voted 5-0 to approve the application.

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The Board was requested to vote to renew the Verizon cable license for a term of five years. Assistant Town Manager Jenn Breaker addressed the Board and answered various questions by the Board. On a motion by Selectman Langlais and seconded by Selectman Mills, the Board voted 5-0 to renew the Verizon cable license for a term of five years.

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The Board was requested to vote to take by Eminent Domain the fee simple of the following roadways laid out by the Board on April 2, 2019, accepted as Town Ways under Article 17 of the May 20, 2019 Annual Town Meeting; and, as authorized by Town Meeting, to acquire said fee in the ways: Ardmore Drive; Arthur Street; Bayview Avenue; Central Avenue; and Laurel Street. Town Engineer Steven King addressed the Board and answered various questions by the Board. On a motion by Selectman Trask and seconded by Selectman Clark, the Board voted 5-0 to take by Eminent Domain the fee simple of the following roadways laid out by the Board on April 2, 2019, accepted as Town Ways under Article 17 of the May 20, 2019 Annual Town Meeting; and, as authorized by Town Meeting, to acquire said fee in the ways: Ardmore Drive; Arthur street; Bayview Avenue; Central Avenue; and Laurel Street. 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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The Board heard a report on the status of the Drought Management Act grant. Town Engineer Steven King and Kirsten Ryan of Kleinfelder addressed the Board and answered various questions by the Board.

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A public hearing was held on the Danvers Electric Division and Verizon Petition No. 20180927 dated September 27, 2018 requesting permission to locate poles, wires, cable and fixtures including the necessary anchors, guys and other such sustain and protecting fixtures to be owned in used in common by petitioners, along and across the following public way or ways:

- Relocation of Pole 116-3 by 4 Putnam Ln (move 15' +/- North for new URD); Relocation of Pole 116-4 by 6 Putnam Ln (move 40' +/- North for new URD; Relocation of Pole 15-33-1 by 105 Dayton Street (move 80' +/- to street, across from 104 Dayton Street).

System Engineer Kelly Kobrenski addressed the Board and answered various questions by the Board. A motion to close the public hearing was made by Selectman Trask and seconded by Selectman Langlais. On a motion by Selectman Trask and seconded by Selectman Langlais, the Board voted 5-0 to approve the application.

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A public hearing was held on the Danvers Electric Division and Verizon Petition No. 1A3L9DP dated June 13, 2019 requesting permission to locate poles, wires, cable and fixtures including the necessary anchors, guys and other such sustain and protecting fixtures to be owned in used in common by petitioners, along and across the following public way or ways:

- Relocate one (1) JO pole, 141/P.25 on the easterly side of Water Street (near 78 Water Street) to a point approximately 6' from its current location. New location being approximately 151' northerly from existing pole 141/P.26 and 156' southerly from existing pole 141/P.24.

A Representative from Verizon addressed the Board and answered various questions by the Board. A motion to close the public hearing was made by Selectman Trask and seconded by Selectman Langlais. On a motion by Selectman Trask and seconded by Selectman Langlais, the Board voted 5-0 to approve the application.

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The Board heard an update by the Town Manager regarding the Downtown Corridor Zoning and target dates for remaining tasks before a February 2020 Special Town Meeting.

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The Board was requested to accept gifts (2) from Walmart to (1) Danvers Fire (\$1,000) and (2) Police Departments (\$1,000) for fire prevention and the DARE program in accordance with M.G.L. Chapter 44 s53A. On a motion by Selectman Trask and seconded by Selectman Langlais, the Board voted 5-0 to accept the gifts as presented.

The Board was requested to approve the sale of \$20,275,000 in Municipal Purpose Bonds to Janney, Montgomery Scott, LLC with a winning bid of 2.35% for the following projects: \$20,000,000 (Twenty Million) Smith School Construction; and \$275,000 (Two Hundred Seventy-Five Thousand) Fire Station Repairs & Improvements. On a motion by Selectman Trask and seconded by Selectman Langlais, the Board voted 5-0 to approve the sale (see details below).

The Board was requested to approve the sale of \$3,295,000 to BNY Mellon Capital Markets with a winning bid of 1.62% for the following projects: \$1,600,000 (One Million Six Hundred Thousand) Sewer I & I; \$195,000 (One Hundred Ninety-Five Thousand) Frost Fish Brook Drainage Improvements; and \$1,500,000 (One Million Five Hundred Thousand) Water Mains. On a motion by Selectman Langlais and seconded by Selectman Clark, the Board voted 5-0 to approve the sale (see details below).

The Board was requested to approve the sale of \$2,600,000 in Bond Anticipation Notes to Piper Jaffray & Company with a winning bid of 1.41% for the following projects: \$1,600,000 (One Million Six Hundred Thousand) Highlands School Roof; \$300,000 (Three Hundred Thousand) Sewer I & I; and \$700,000 (Seven Hundred Thousand) Frost Fish Brook. On a motion by Selectman Trask and seconded by Selectman Langlais, the Board voted 5-0 to approve the sale. (see details below).

I, the Clerk of the Board of Selectmen of the Town of Danvers, Massachusetts (the “Town”), certify that at a meeting of the board held August 6, 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 we hereby determine, in accordance with G.L. c.70B, that the amount of the cost of the Ivan G. Smith Elementary School feasibility study and construction project authorized by votes of the Town passed on May 16, 2016 (Article 16) and February 4, 2019 (Article 2) not being paid by the school facilities grant is \$31,511,338 and we hereby approve of the issuance of notes and bonds in such amount under said G.L. c.70B.

Further Voted: that we hereby determine, in accordance with G.L. c.70B, that the amount of the cost of the Highlands School roof replacement project authorized by votes of the Town passed on May 21, 2018 (Article 25) and May 20, 2019 (Article 31) not being paid by the school facilities grant is \$1,607,301 and we hereby approve of the issuance of notes and bonds in such amount under said G.L. c.70B.

Further Voted: that the sale of the \$18,015,000 General Obligation Municipal Purpose Loan of 2019 Bonds, Series A of the Town dated August 15, 2019 (the “Series A Bonds”), to Janney Montgomery Scott LLC at the price of \$20,385,120.15 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on August 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>
2020	\$565,000	5.00%	2030	\$ 925,000	4.00%
2021	590,000	5.00	2031	960,000	4.00
2022	620,000	5.00	2032	1,000,000	4.00
2023	655,000	5.00	2033	1,040,000	4.00
2024	685,000	5.00	2034	1,075,000	3.00
2025	720,000	5.00	2035	1,110,000	3.00
2026	760,000	5.00	2036	1,145,000	3.00
2027	800,000	5.00	2037	1,180,000	3.00
2028	840,000	5.00	2038	1,215,000	3.00
2029	880,000	5.00	2039	1,250,000	3.00

Further Voted: that the sale of the \$3,045,000 General Obligation Municipal Purpose Loan of 2019 Bonds, Series B of the Town dated August 15, 2019 (the “Series B Bonds,” and together with the Series A Bonds, the “Bonds”), to BNY Mellon Capital Markets, LLC at the price of \$3,600,932.57 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on August 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>
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2020	\$280,000	5.00%	2028	\$200,000	5.00%
2021	275,000	5.00	2029	110,000	5.00
2022	275,000	5.00	2030	110,000	4.00
2023	275,000	5.00	2031	110,000	4.00
2024	275,000	5.00	2032	110,000	4.00
2025	270,000	5.00	2033	110,000	4.00
2026	270,000	5.00	2034	110,000	4.00
2027	265,000	5.00			

Further Voted: to approve the sale of \$2,600,000 2.00 percent General Obligation Bond Anticipation Notes of the Town dated August 15, 2019, and payable August 14, 2020 (the “Notes”), to Piper Jaffray & Company at par and accrued interest, if any, plus a premium of \$15,236.00.

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 July 23, 2019, and a final Official Statement dated July 30, 2019 (the “Bonds 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 July 23, 2019, and a final Official Statement dated July 30, 2019, 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 Bonds 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 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 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 Notes 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 Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

Dated: August 6, 2019

_____ *Joseph L. Collins* _____

Clerk of the Board of Selectmen

Selectman "New Business," previous "New Public Business" as follows:

- How to guides for new businesses, appeal processes for Board/Committee decisions

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

- Response of Town to DPU
- Smith School
- Summer Street/ Rt 62 intersection
- Highlands School Roof
- Employee Health Care

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Consent Calendar

Road Race/ Walk/ Ride

- Lynda J. Talbot Memorial Road Race, Sunday, October 6, 2019, 10:00AM. Start time, beginning and ending at Great Oak School

Banners

- Lynda J. Talbot Memorial Road Race, over High Street, September 30-October 6, 2019

Correspondence, Selectmen updates and Selectmen closing updates were provided, as follows:

- Resignation of Tracy Wadsworth from Beverly Airport Commission
- Recent passing of John Mroszcyk, Bill Nagle, Dr. Rev Charles Gross, and Dr. Robert Kellard

Remember active service members and Veterans

The meeting was adjourned at 8:40 P.M.

Attest: Joseph L. Collins

Town Clerk