

Minutes of the Board of Selectmen Meeting

This meeting of the Board of Selectmen was called to order at 6:00PM on Tuesday, October 20, 2020 at the Town Offices. Dale Kiley, Jason Petraitis, and John Tripp present.

Anne Janette was present to explain the refinancing she has worked on for the Town. She managed to save the Town about \$558,000.00 over the life of the loans. Our rating remained an AA-, creditors are not adjusting scores because of COVID.

VOTE OF THE BOARD OF SELECTMEN

I, the Clerk of the Board of Selectmen of the Town of North Brookfield, Massachusetts (the "Town"), certify that at a meeting of the board held October 20, 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 we hereby determine, in accordance with G.L. c. 70B, that the amount of the cost of the North Brookfield Elementary School roof project authorized by a vote of the Town passed on February 17, 2017 (Article 1) not being paid by the school facilities grant, or any other available funds of the Town, is \$1,145,000 and we hereby approve of the issuance of notes and bonds in such amount under said G.L. c. 70B.

Further Voted: That in order to reduce interest costs, the Treasurer is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21A of the General Laws, or pursuant to any other enabling authority, to refund all or a portion of the Town's (i) \$5,625,000 General Obligation Bonds dated September 15, 2005, and maturing on September 15 in each of the years 2021 to 2025, inclusive, (ii) \$2,743,000 General Obligation Bonds dated October 1, 2007, and maturing, or subject to mandatory redemption, on October 1 in each of the years, 2023 to 2026, inclusive, (iii) \$3,913,000 General Obligation Municipal Purpose Loan of 2009 Bonds dated October 15, 2009, and maturing, or subject to mandatory redemption, on October 15 in each of the years 2021 to 2028, inclusive, and (iv) \$3,913,000 General Obligation Refunding Bonds dated July 20, 2012 and maturing, or subject to mandatory redemption, on August 1 in each of the years 2021 to 2032, inclusive (collectively, the "Refunded Bonds") and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium and interest on the Refunded Bonds and costs of issuance of the refunding bonds.

Further Voted: that the sale of the \$5,645,000 General Obligation Municipal Purpose Loan of 2020 Bonds of the Town dated October 28, 2020 (the "Bonds"), to Fidelity Capital Markets, a Division of National Financial Services LLC at the price of \$6,413,364.91 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on November 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>
2021	\$710,000	5.00%	2029	\$200,000	3.00%

2022	725,000	5.00	2030	200,000	2.00
2023	720,000	5.00	2031	190,000	2.00
2024	670,000	5.00	2032	190,000	2.00
2025	675,000	5.00	2033	90,000	2.00
2026	440,000	5.00	2034	90,000	2.00
2027	320,000	5.00	2035	95,000	2.00
2028	330,000	4.00			

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 October 7, 2020, and a final Official Statement dated October 15, 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 to comply with relevant securities laws.

Further Voted: that any certificates or documents relating to the Bonds (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

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.

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 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: October 20, 2020

Clerk of the Board of Selectmen

Mr. Petraitis moved, and Mr. Tripp seconded, a motion to approve the VOTE as written. So voted.

Tara Hayes provided the sample warrant for the ballot. Mr. Petraitis moved, and Mr. Tripp seconded, a motion to approve the ballot. So voted.

CARES ACT Request: Mr. Petraitis moved, and Mr. Tripp seconded, a motion to approve CARES act request from the school. So voted.

The Board of Selectmen reviewed the proposed articles for the November 6 Special Town Meeting. Jason Benoit was present to discuss his requests. Jason needs more money for Tree Warden duties and is looking for a used wood chipper to help with this. He would also like a new pickup truck with a plow and money for a grant writer. There are many problem areas in Town when it comes to the trees. We've had many wind storms and Jason has gone through the entire allotted tree budget in less than 6 months. There was discussion about how to get rid of the tree butts that National Grid left all along 148. We may need to rent a grinder, but will wait until the town pit has more, to make it worth the rental, which is \$7000-\$10,000 a day. There was also a discussion about the school's pickup truck. Jason said he asked the school for 2 months to bring the truck down to Highway to get it ready for Winter but they only brought it 2 weeks ago. The school was told that they need to clean the salt out of the truck, but they failed to do that. Discussion about getting Highway a new truck and giving School an older highway truck. Topic will be revisited in the future. Jason Benoit is going to get more information about a grant writer.

Bruce Arnold was in to discuss water issues at his property. He was upset that Ashley did not provide him with information in a timely manner. He wanted to get an article on the warrant for the STM, he would need 100 signatures, all verified by the Town Clerk. Dale reiterated that according to Town Counsel, we are not liable to fix his water issues. Bruce asked how many quotes he would need, the BOS suggested 3 or more. The BOS also suggest that Bruce talk to Finance Committee and explain the situation, as they will be the ones to either support or not support this article. Bruce questioned if he researches and finds an easement on his property, would that mean the Town is liable to fix the issue? Dale said we could ask Town Counsel, if Bruce can prove that the Town is liable then the BOS will do what's in the best interest of the Town. The BOS explained the warrant process for a Special Town

Meeting. Bruce said he's disappointed, this has been a problem since he bought the property and he now has PTSD from the issues. If he's got to travel for work and it rains, his wife has to deal with it. Mr. Kiley stated that he understands, but there are many residents in Town with water and other issues. Mr. Petraitis asked Bruce to speak with Tara Hayes about the petition.

Sewer: Mr. Petraitis spoke with Ted Boulay, East Brookfield Selectmen, who stated that EB was interested in discussing North Brookfield's sewer extension into East Brookfield, at least to Route 9. There are other options to get more NB and EB residents on the Sewer system, possible Brickyard Road or even the railroad bed. There were some questions as to how tie-in and betterment fees would be paid (to which town). There will be a meeting among the NB and EB BOS and the NB Sewer Commissioners.

There being no further business, at 7:30PM Mr. Petraitis moved, and Mr. Tripp seconded, a motion to adjourn. So voted.

Respectfully Submitted,

Ashley Barre