

SELECTMEN MEETING MINUTES
TOWN OFFICES COMMUNITY ROOM
25 BRYANTS LANE
TUESDAY, AUGUST 2, 2005
6:00 P.M.

Member present: Selectman Jason Booth, Selectman Rich Lemoine, Selectman Kevin O'Connor, Selectwoman Karyn Puleo and Selectwoman Jacqueline Schnackertz.

The meeting was called to order. The Board and staff were introduced.

I. CITIZENS' TIME

The Chair asked if there were any residents not on the agenda wished to speak this evening. No one came forward.

II. CORRESPONDENCE

Selectman O'Connor read the agenda as posted and the correspondence as submitted.

Motion by Selectman O'Connor to accept the correspondence as read, second by Selectwoman Puleo,
Vote – Unanimous

III. APPOINTMENTS

A. 6:05 P.M. Parson/Mass Hwy/Pawtucket Blvd Relocation
Mr. Peter Donahue was invited to attend the meeting to give the Board an update on the status of the realignment of Pawtucket Boulevard. The office received a set of plan showing the 25% completion stage. Mr. Donahue explained that Mass Hwy will have a formal hearing in the fall detailing all of the takings needed. Mass Hwy is still waiting for comments from some departments. The project has shifted to 2007 with hearing dates on the final plan in 2006. Many of the residents affected by the realignment were present this evening to ask questions. Mr. Donahue answered some of the questions and reminded everyone that the process for the takings are on line and at the completion of 75% of the plan a hearing will be schedule in early fall with the hearing of the completed plan in the fall of 2006.

Because of the multitude of questions the Board informed the residents that Mr. Donahue will move into Meeting Room 1 down the hall to answer any further questions. The Board thanked Mr. Donahue for coming the meeting to update the Board. The Board recessed for ten minutes to allow Mr. Donahue to gather his plans and for the residents to continue down to meeting 1.

Motion by Selectwoman Puleo to recess for 10 minutes, second by Selectman O'Connor,

Vote – Unanimous

Motion by Selectman O'Connor to reconvene the meeting, second by Selectwoman Puleo,

Vote – Unanimous

B. 6:10 P.M. Town Treasurer/Peter Frazier, First Southwest Co/Sign Bonds

Town Treasurer, David Desgroseilliers and First Southwest Company representative, Peter Frazier were present to speak on the Town's bond rating. The Board is to sign the Bond Anticipation Note (School Bonds) this evening. The Treasurer has prepared the documents for signature. Mr. Frazier handed the Board some handouts explaining the process and the criteria used to set the rate. Mr. Frazier is the financial advisor for the Town. After the discussions the Board thanked Mr. Frazier for his advice and guidance on funding practices for the Town. The Selectmen voted unanimously to sign the Bond Anticipation Note.

Motion by Selectman O'Connor to vote that all action taken by the Town Treasurer in advertising for public sale of the \$4,428,948 Bond Anticipation Note (School Bonds) (the "Note") of the Town, issued in anticipation of bonds authorized pursuant to Chapter 44, Section 7(3), of the Massachusetts General Laws, as amended and supplemented, and by votes of the Town duly adopted, all as further described in Exhibit A attached hereto, which by reference thereto is hereby incorporated in and made a part of this vote and the minutes of this meeting, and in connection therewith, the preparation and distribution of a Preliminary Official Statement and Notice of Sale, and a final Official Statement, be and hereby is ratified, confirmed, approved and adopted;

That the Note has been dated as of August 17, 2005, shall mature on August 17, 2006, shall be subject to the provisions of this vote, is in such form, of such denominations and contains such other details as the Town Treasurer

and a majority of the Board of Selectmen has determined and approved by their execution of the Note;

That the Note has originally been issued by means of a book-entry system evidencing ownership and transfer of the Note; and in the event of failure or termination of the book-entry system, U.S. Bank National Association, in Boston, Massachusetts, shall issue replacement notes in the form of fully registered certificates and shall act as Note Registrar, Transfer Agent and Paying Agent therefore;

That the Note shall bear interest payable at maturity and is hereby sold and awarded as follows:

<u>Purchaser</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Premium</u>
Eastern Bank	\$4,428,948	3.75%	\$36,007.35

That the Town treasurer be, and hereby is authorized to execute and deliver a Material Events Disclosure Certificate generally as described in the official statement relating to the Note and to incorporate by reference thereto in the Note such Certificate both in such form as the signatories may approve by their execution thereof and the obligation of the Town contained in such certificate is hereby approved and confirmed;

That the Board of Selectmen, the Treasurer and the Town Clerk be and hereby are, and each of them severally is, authorized to take such action, and to 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 vote; and

That the Town Treasurer is hereby authorized to prepare and deliver the Note to the aforesaid purchaser or purchasers or order against payment in full of the agreed purchase price.”

We further certify that the foregoing is a true copy of a vote adopted at said meeting as appearing in the minutes thereof; that the meeting was open to the public; that notice stating the place, date and time of the meeting was filed in the office of the Town Clerk and a copy thereof was posted in the Town Clerk’s office or on the principal official bulletin board of the Town at 25 Bryants Lane, Tyngsborough, MA.

Selectmen’s Minutes 8/2/05
Page four

Exhibit A

\$4,428,948 Bond Anticipation Note (School Bonds) being issued in anticipation of the \$4,428,948 un-issued balance of the \$22,900,000 School Bonds authorized under Article 1 of the Warrant at the Special Town Meeting held on April 11, 2000, and Chapter 124 of the Massachusetts Acts of 2000, pursuant to Chapter 44, Section 7 of the Massachusetts General Laws as amended and supplemented. The Town voted to exempt this authorization from the limitations of Proposition 2½, so-called, under Ballot Question No. 1 at the Special Town Election held on May 9, 2000. The Notes are not being issued to renew or refund any bonds, notes or other obligations except \$4,428,978 Bond Anticipation Note dated May 15, 2001, which Notes were most recently renewed on November 4, 2004, are now due and payable on August 17, 2005 and will be paid from the proceeds of this Note. To date, no other notes, bonds or other obligations have been issued against this authorization except (i) \$5,200,000 General Obligations Bonds issued November 1, 2004 and (ii) a \$13,271,052 Massachusetts School Building Authority Grant received on August 17, 2005, second by Selectwoman Puleo, Vote – Unanimous

IV. ACTION/DISCUSSION

A. Approve Minutes of Jan 3, 2005 Work Session; Jan 11, 2005 Tri-Board; Jan 18, 2005 Work Session; March 14, 2005 Meeting; March 17, 2005 Tri-Board; March 21, 2005 Meeting; April 4, 2005 Meeting; April 25, 2005 Meeting; May 4, 2005 Meeting; May 11, 2005 Meeting; May 23, 2005 Meeting; June 6, 2005 Meeting; June 16, 2005 Work Session; and the July 11, 2005 Meeting.

Selectman Booth abstains from voting on the minutes of meetings prior to May 11, 2005 and Selectwoman Puleo abstains from voting on the minutes of May 4, June 6 and July 11.

Motion by Selectman O'Connor to approve the minutes as printed, second by Selectwoman Puleo,
Vote – Unanimous

B. Accept Resignation/Conservation Commission

The Board received a resignation letter from Conservation Member Brian Lowe stating that he could no longer serve on the Commission.

Selectmen's Minutes 8/2/05

Page five

Motion by Selectman O'Connor to accept with regrets Mr. Lowe's resignation, second by Selectwoman Puleo,
Vote – Unanimous

C. Accept Resignation/Tyngsborough Housing

Partnership/Economic Development Committee

The Board will not take any action on this topic because the Tynngsborough Housing Partnership is a separate body politic and does not come under the jurisdiction of the Board of Selectmen. The Board has appointed Selectman Lemoine to represent the Board on the Economic Development at a meeting in May.

D. Appointment/Conservation Commission

The Board received correspondence from the Conservation Commission recommending Mr. Frank Zarba, an Associate Member, be appointed to full time member.

Motion by Selectman O'Connor to appoint Frank Zarba as a Member of the Conservation Commission, second by Selectwoman Puleo,
Vote – Unanimous

E. Appointment/Community Preservation Committee

The Board received correspondence from the Finance Committee asking the Board appoint Mr. Kenneth Times III as their representative to the Community Preservation Committee.

Motion by Selectman O'Connor to appoint Mr. Kenneth Times III as the Finance Committee's representative on the Community Preservation Committee, second by Selectwoman Puleo,
Vote – Unanimous

The Board received a letter from Alison McNamara recommending Mrs. Linda Geyer be appointed as their twentieth member to the Recreation Committee, and recommends Ms. Geyer be appointed as their representative on the Community Preservation Committee.

Motion by Selectwoman Puleo to appoint Ms Linda Geyer to the Recreation Committee, second by Selectman O'Connor,
Vote – Unanimous

Selectmen's Minutes 8/2/05
Page six

Motion by Selectman O'Connor to appoint Ms Linda Geyer as the Recreation Committee's representative on the Community Preservation Committee, second by Selectman Booth,
Vote - Unanimous

V. ASSISTANT TOWN ADMINISTRATOR'S NOTES

Ms Lamontagne reported on the scheduling of the temporary bridge work. Mr. Fedele will attend the next Selectmen's meeting to discuss status on the

completion of the work. On Wednesday, August 3rd SPS will be paving on the east side of the bridge and to expect some delays. There is some independent work being done on the bridge by Mass Hwy there will be trucks parked on the road, the workers are doing inspections on the existing bridge.

The office received a letter confirming the Town was awarded a self help grant of \$148,000 to use for the purchase of the Massapoag Road parcel. The CPC's Committee Member, Chris Chisholm worked hard to secure this grant.

VI. SELECTMEN'S NOTES

The Selectmen thanked Chris Chisholm and Amy for their hard work in putting together all the information for the grant. It was great to receive the grant to offset the amount of the purchase. Other land available to purchase is the Pyle property on Lawndale which abuts the Sherburne property and the Shurfine property on Kendall Road. Other matters of discussion were the arbitrage, tri-board meetings and the closing of the fiscal books. The Town Administrator search has started. The Taxation Aid Fund Committee needs three at large citizens to serve on the committee, this committee was formed to look at the money collected from the check off box on the tax bill. The money is to be used for qualified seniors and disabled residents in need. The Board having no further business to discuss the Chair entertained a motion to enter into Executive Session.

VII. EXECUTIVE SESSION

Motion by Selectman O'Connor to enter into Executive Session and to return to open session only to adjourn,
Roll Call Vote – Selectman Jay Booth, yes; Selectman Rich Lemoine, yes; Selectman Kevin O'Connor, yes; and Selectwoman Jacqueline Schnackertz, yes.

Selectmen's Minutes 8/2/05
Page seven

VIII. ADJOURNMENT

The Board exited the Executive Session and returned to open session to adjourn.

Motion by Selectwoman Puleo to adjourn the meeting, second by Selectman Booth,
Vote – Unanimous

The meeting adjourned at 9:00 P.M.

Respectfully submitted,

Therese Gay
Admin Assist.