

# **Town of Paxton Board of Selectmen**

## **Regular Meeting Minutes**

**Monday, September 8th, 2008**

Members Present: Frederick Goodrich, Chair, Michael T. Quinlivan, Vice Chair

John F. Malone, Clerk

Charles Blanchard, Town Administrator

Attendees: See attendee list

Chairman called the meeting to order at 7:03pm.

**Motion (JM) seconded (FG) to accept the Regular Meeting Minutes of August 25, 2008. Unanimous. All in Favor.**

### **Public Safety Complex Update**

- Main basement floor slab poured, gear and storage area complete.
- Masonry wall construction and elevator shaft is underway.
- Steel frame for Apparatus Room should be erected this week.
- Steel building at DPW has been erected.
- Framing of the interior and exterior is underway.
- Almost all site work is complete.

### **Appeal Against False Alarm Fine – Mr. & Mrs. Stein**

- Mr. Stein in receipt of a fine for \$100.00 for three false alarms at his Dunanderry Way address, all occasions were on vacation.
- Mr. Stein called in ADT to replace faulty parts and then incurred a further false alarm. He has since replaced all the batteries in the system and has had a further service call to ensure a further false alarm does not occur.
- Both (JM) and (FG) stated that Mr. Stein had shown due diligence in responding to the alarm problems.
- **Motion (FG) seconded (JM) to waive the \$100.00 fine. Unanimous. All in Favor.**

### **USDA Loan-Public Safety Complex**

- (FG) read the certification to those present at the meeting:

*We, the undersigned members of the Board of Selectmen of the Town of Paxton, Massachusetts (the "Board"), hereby certify that the following is a true copy of excerpts from the minutes of a regular*

*meeting of said Board duly called and held on September 8, 2008 at 7:00pm at the John Bauer Senior Center, in Paxton, Massachusetts, after proper notice was given to each member of the Board, three (3) of the three (3) members of the Board of Selectmen, constituting a quorum, were in attendance and voting throughout. The following votes were duly adopted by a vote of **3 yeas** and **0 nay**.*

*The Meeting considered the \$2,000,000 Public Safety Complex Bond No. R-1, authorized pursuant to Section 8 (20) of Chapter 44, of the Massachusetts General Laws, as amended and supplemented, and under Article 7 of the Warrant at the Annual Town Meeting held on May 7, 2007. The Chairman reminded the meeting that it had been decided to sell the Bond to the United State of America.*

*Thereupon, after full discussion and upon motion duly made and seconded, it was:*

*“Voted: That all action taken in arranging for the sale of the \$2,000,000 Public Safety Complex Bond, No. R-1 (the “Bond”), authorized pursuant to Section 8(20) of Chapter 44, of the Massachusetts General Laws, and by a vote of the Town duly adopted under Article 7, of the Warrant at the Annual Town Meeting held on May 7, 2007, be and hereby is ratified, confirmed, approved and adopted;*

*That said \$2,000,000 loan shall be represented by a single registered bond, No. R-1, which shall be dated as of such date as it is actually delivered to its purchaser against payment to the Town, and shall be payable on the anniversary of its date in annual installments of principal in the amounts of \$50,000.00;*

*That the interest rate on the Bond, payable annually from the date of delivery, be and is hereby fixed at the rate of four and three-eighths (4.375%) per annum, with payments applied first to interest on the outstanding indebtedness evidenced thereby and next to principal, as further provided therein;*

*That the Town reserves the right to prepay all or part of the Bond on any payment date without penalty or premium, each such premium payment to be applied to the last principal due thereunder;*

*That the bid of the UNITED STATES OF AMERICA to purchase the Bond at par, bearing interest at the aforesaid rate, being the best bid received for the Bond, be and hereby is accepted, and the Town Treasurer be and hereby is authorized to deliver the Bond to the aforesaid purchaser or order against payment therefor; and*

*That the proceeds of the Bond shall be used for constructing a new public safety complex”*

*We hereby certify that the foregoing is a true copy of the 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 with the Town Clerk of the Town of Paxton and a copy thereof was posted in the Town Clerk’s office or on the principal official bulletin board of the Town at least 48 hours, including Saturdays but not 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 Vote were taken in executive session; and that the official record of the meeting was made available to the public promptly and remain available to the public, all in accordance with Chapter 39, Section 23B, of the General Laws, as amended (the “open –meeting law”).*

- **Motion (FG) seconded (JM) to sign the Loan Document. Unanimous All in Favor.**
- (JM) as Clerk to the BOS read the following Certification to those present at the meeting:

*I, the Clerk of the Board of Selectmen of the Town of Paxton, Massachusetts (the "Town"), certify that at a meeting of the board held on September 8, 2008 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 appears upon the official record of the board in my custody:*

*Voted: to approve the sale of a \$5,000,000 2.50 percent General Obligation Bond Anticipation Note of the Town dated September 12, 2008, and payable May 29, 2009 (the "Note"), to Eastern Bank Capital Markets at par plus a premium of \$20,060.28.*

*Further Voted: that the consent to the financial advisor bidding for the Note, as executed prior to the bidding for the Note, is hereby confirmed.*

*Further Voted: that in connection with the marketing and sale of the Note, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated August 27, 2008, and a final Official Statement dated September 3, 2008, 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 material events disclosure undertaking in compliance with the Town, which undertaking shall be incorporated by reference in the Note, as applicable, for the benefit of the holders of the Note from time to time.*

*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, 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 notice stating the place, date and time of the meeting was filed with the Town Clerk of the Town of Paxton and a copy thereof was posted in the Town Clerk's office or on the principal official bulletin board of the Town at least 48 hours, including Saturday but not Sunday 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 Note were taken in executive session, and that the official record of the meeting was made available to the public promptly and remains available to the public, all in accordance with Chapter 39, Section 23B, of the General Laws, as amended.*

- **Motion (FG) seconded (MQ) to accept and have (JM) sign the Loan Document as Clerk. Unanimous All In Favor.**

**Wachusett Regional School District \$6,100,000 General Obligation School Bond**

- Defer to the next meeting to give time for (CB) to obtain further information.

#### **First Congregational Church Request to Use the Town Common**

- Request by the Church to use the Common on September 27<sup>th</sup> for a cook out and yard sale.
- **Motion (MQ) seconded (JM) to approve request on the proviso that the Police Chief has no objections. Unanimous. All In Favor.**

#### **Center Field Access Road Update**

- (FG) stated that phase 1. Had been completed, the DPW had done a good job opening up the area, allowing more room for parking.
- Next phase would cost \$17,000.

#### **Trash Collection Contract**

- (FG) provided a memo of the meeting with the BOH for the BOS.
- (FG) suggested that they sign the contract and collectively help determine the feasibility of Single Stream Recycling.
- **Motion (FG) seconded (MQ) to sign the contract. Unanimous All In Favor.**

#### **FY07 Management Letter (Audit)**

- (FG) asked whether BOS had any comments regarding this.
- BOS had no comments.
- (CB) stated that part of Vadar 2 upgrade can revise the Charter of Accounts to be compliant with Munis.
- Petty Cash no longer used to pay the Basketball Referees.
- Large amounts on personal credit cards no longer in place.
- GASB 40 – Investment Policy adopted.
- GASB 45 – planning on using post employment benefits.

#### **Town Administrators Update- Charles Blanchard**

##### **\$5 Million BAN**

- Following an hour long teleconference interview with a financial analyst from Moody's (CB) the Treasurer and Town Accountant, Moody's gave our \$5 million BAN issue and MIG-1 rating (the highest available for this type of borrowing) and reaffirmed our A2 long term credit rating. Resulting in a 2.5 rate, saving \$18,000 in interest payments.

##### **Rock Salt Bid**

- Cooperative bid for Rock Salt was awarded to American Rock Salt at a bid price of \$63.97, significantly higher than last year.

##### **DPW**

- DPW Superintendent received 9 applications for the DPW opening and chose Matthew Benoit to fill the position.

- **Motion (FG) seconded (JM) to appoint Matthew Benoit as a DPW Operator II at a starting rate of \$16.37 subject to a successful passage of a physical examination and our standard probationary period. Unanimous. All In Favor.**

#### ***Paxton Housing Partnership***

- PHP is meeting with the Planning Board to discuss their options for either changing the density allowed in the SRD Overlay District or adding additional acres to comply with the current density. Since the land is within the Town's Watershed Protection Bylaw Section 4.5 of our Zoning Bylaws, which includes additional regulations and prohibited uses will apply (CB) has informed the Planning Board Chair of this.

#### **Wheelabrator Millbury**

- Wheelabrator provided a statement for the year ended June 30, 2008 showing Paxton delivered 650.6 tons of acceptable waste.

#### **Grove Street**

- DPW has completed the drainage work recommended by the DEP on the east side of Grove Street and will soon start the work approved on the west side of Grove Street.
- (CB) stated that the DPW had done an excellent job and (FG) commended the DPW Superintendent.

#### **Request to Change the Date for Halloween Trick or Treating**

- A letter from Chief Desrosiers stated that he was against changing this date, as it would mean that he would have to cover two days for Halloween. He stated that he does have his department cover the Crowningshields area, from where this request came.
- **Motion (FG) seconded (JM) not to change the date for trick or treating. Unanimous All In Favor.**

#### **Other Business**

##### **Master Plan**

- (CB) reminded everyone that the Public Hearing for the Master Plan would take place on September 25th at 7pm at the Paxton Center School.

#### **Special Town Meeting**

- (FG) before setting the date ascertain whether the Town Clerk and Moderator will be available – suggested date October 28<sup>th</sup>.
- BOS discussed the WRSD budget and suggested that the School Representatives attend a future meeting.
- (FG) to write to WRSD to see if the additional state money received by the District can be returned to the Towns rather than added to their budget. BOS do not want to see the School's budget for FY09 increased as will affect what they use to for FY10 figures.
- Regional Finance Committees meeting on September 18th, and (FG) has requested that Rich Fenton and Chris de Marcken attend a BOS meeting after this date to inform the BOS of what was discussed.
- (FG) to attend the October 10th MMA meeting.

**Ribbon Cutting Ceremony WRHS**

- To take place Sunday, September 21<sup>st</sup> at Noon, now that all the renovations complete.

**Motion (JM) seconded (FG) to adjourn the meeting at 8:20pm. Unanimous all in Favor.**

Respectfully submitted,

Carol L. Riches  
Administrative Assistant