



Fairhaven Board of Selectmen

December 22, 2014 Meeting Minutes

Present: Chairman Robert J. Espindola, Clerk Charles K. Murphy, Executive Secretary Jeffrey Osuch, and Administrative Assistant Anne Kakley

Absent: Vice Chairman Geoffrey Haworth

Chairman Robert J. Espindola called the meeting to order in the Town Hall Banquet Room at 3:05 p.m.

PO ROOFING REQUISITION #1

The Board reviewed Requisition #1 from PO Roofing in the amount of \$54,292 for the Fire/Police roof replacement. Mr. Murphy motioned to approve the requisition in that amount. Mr. Espindola seconded. Vote carried. (2-0-1).

ANIMAL CONTROL OFFICER RESIGNATION

The Board reviewed a letter of resignation from Animal Control Officer Terence Cripps. See Attachment A.

The Board discussed how the department could be covered until the position could be advertised and permanently filled. Ms. Kakley said that she had spoken with Mattapoisett Assistant Animal Control Officer Kelly Massey, and Ms. Massey is willing to cover call-outs. Ms. Massey was one of the two finalists for the ACO position when it was posted in November 2013. Mr. Murphy said that he thought Ms. Massey's willingness to help should reflect upon her favorably if she chooses to apply again.

Mr. Murphy, Mr. Espindola and Mr. Osuch said that they had attempted to contact Mr. Cripps regarding his resignation but he does not answer the phone and he will not return phone calls. Mr. Murphy said that the time might be right to re-evaluate the position and determine if a per diem Assistant ACO might be needed.

Mr. Murphy motioned to appoint Ms. Massey, conditional upon her interest, to the position of Assistant Animal Control Officer. Mr. Espindola seconded. Vote carried. (2-0-1).

Mr. Murphy motioned to advertise the position for ACO in the first two Sunday newspapers in January 2015 with an application deadline of January 20, 2015. Mr. Espindola seconded. Vote was unanimous. (2-0-1).

At 3:15 p.m., the Board met with Lisa Dickinson and Kim Morse of Unibank to sign a bond for Sewer borrowing to Roosevelt & Cross, Inc. at the price of \$2,613,431. Mr. Murphy motioned Attachment B in full. Mr. Espindola seconded. Vote carried. (2-0-1).

MOODY’S NEGATIVE OUTLOOK

The Board discussed the Town’s financial outlook with Ms. Dickinson and Ms. Morse. The Town is still presently at a Moody’s bond rating of AA2 but Moody’s has issued a “negative outlook” for the Town, meaning fiscal changes and policies will need to be set to improve the Town’s standing or it could sustain a lower bond rating in the near future.

Mr. Espindola said that the Board was planning to hold a joint meeting with the Finance Committee to consider a reduction in the local aid estimate and commit a portion of Free Cash to the Reserve Fund.

At 4:16 p.m., Mr. Murphy motioned to enter Executive Session, pursuant to MGL 30A § 21:

- Real estate – 124 Alden Road auction
- Real estate – Bates property and Town owned section

Mr. Espindola seconded the motion to enter Executive Session for the aforementioned reasons, not to reconvene into open session afterward. Vote carried. (2-0-1). Roll call vote: Mr. Murphy in favor. Mr. Espindola in favor.

Respectfully,



Anne Kakley
Administrative Assistant
Minutes approved 01/12/2015

From: [Terrence Cripps](#)
To: [Anne Kakley](#); [Bob Espindola](#)
Subject: Letter of resignation
Date: Thursday, December 18, 2014 1:33:52 PM

This letter is to inform the Fairhaven board of selectmen that I, Terence W. Cripps, will be resigning my position of Animal control officer. This will take effect on January 4, 2015. My last shift will be on 1/3/15. I want to thank you for all of the support that I have received from you for the last year.
Sincerely Terence W. Cripps

VOTE OF THE BOARD OF SELECTMEN

I, the Clerk of the Board of Selectmen of the Town of Fairhaven, Massachusetts (the “Town”), certify that at a meeting of the board held December 22, 2014, 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 in order to reduce interest costs, the Town 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 a portion of the Town’s \$9,235,000 General Obligation Municipal Purpose Loan of 2014 Bonds dated December 15, 2004 and maturing on December 15 in the years 2015 through 2024, inclusive, in the aggregate principal amount of \$4,585,000 (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 \$2,395,000 General Obligation Refunding Bonds of the Town dated December 30, 2014 (the “Bonds”), to Roosevelt & Cross, Inc. at the price of \$2,613,431.10 is hereby approved and confirmed. The Bonds shall be payable on December 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>
2015	\$290,000	2.00%	2020	\$235,000	5.00%
2016	275,000	3.00	2021	230,000	3.00
2017	260,000	4.00	2022	215,000	3.00
2018	250,000	5.00	2023	205,000	3.00
2019	245,000	5.00	2024	190,000	3.00

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 December 10, 2014, and a final Official Statement dated December 18, 2014 (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 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 in such form 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.

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 were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended.

Dated: December 22, 2014

Clerk of the Board of Selectmen

AM 43732557.1