

**BOARD OF SELECTMEN /SEWER COMMISSIONERS MEETING**

**Hybrid – Zoom and Richmond Town Hall, 1529 State Rd., Richmond, MA 01254**

**Wednesday July 27, 2022 – 6:00 PM**

**PRESENT:** Roger Manzolini, Chair; Neal Pilson, Selectman; Alan Hanson, Selectman; Danielle Fillio, Town Administrator; Ron Veillette, Chair of the Con. Com.; Tom Grizey, Wiring Inspector, Sewers; Holly Stover; Dick Stover; Brian Gribeldinger

Roger opened the meeting at 6:05 PM.

**Vote for Bond Award and Terms:**

Neal made the following motion. I, Neal Pilson, move that the sale of the \$7,250,000 General Obligation Library and Town Hall Bonds of the Town dated August 2, 2022 (the “Bonds”), to Fidelity Capital Markets, a division of National Financial Services LLC at the price of \$7,524,929.97 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on June 15 of the years and in the principal amounts and bear interest at the respective rates, as provided by Locke Lord LLP and incorporated in the minutes;

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2023	\$155,000	5.00%	2034	\$ 195,000	5.00%
2024	115,000	5.00	2035	205,000	5.00
2025	120,000	5.00	2036	215,000	5.00
2026	130,000	5.00	2037	225,000	5.00
2027	140,000	5.00	2038	235,000	5.00
2028	145,000	5.00	2039	245,000	5.00
2029	155,000	5.00	2040	255,000	4.00
2030	160,000	5.00	2042	550,000	4.00
2031	170,000	5.00	2044	590,000	4.00
2032	175,000	5.00	2048	1,325,000	4.00
2033	185,000	5.00	2052	1,560,000	4.00

I further move that the Bonds maturing on June 15, 2042, June 15, 2044, June 15, 2048, and June 15, 2052 (each a “Term Bond”) shall be subject to mandatory redemption or mature as provided by Locke and Lorde and incorporated in the minutes:

Term Bond due June 15, 2042

<u>Year</u>	<u>Amount</u>
2041	\$270,000
2042*	280,000

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\*Final Maturity

Term Bond due June 15, 2044

<u>Year</u>	<u>Amount</u>
2043	\$290,000
2044*	300,000

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\*Final Maturity

Term Bond due June 15, 2048

<u>Year</u>	<u>Amount</u>
2045	\$310,000
2046	325,000
2047	335,000
2048*	355,000

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\*Final Maturity

Term Bond due June 15, 2052

<u>Year</u>	<u>Amount</u>
2049	\$370,000
2050	385,000
2051	400,000
2052*	405,000

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\*Final Maturity

I further move 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 13, 2022, and a final Official Statement dated July 20, 2022 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

I further move 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.

I further move 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.

I further move 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.

I further move 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.

I further move 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.

Roger seconded the motions.

Roger discussed the bond schedule and noted that after the seventh year the agreement is renegotiable if interest rates drop. The Chair of the Finance Committee is in full support of approval of this motion. There being no further comment, the motion was adopted by unanimous roll-call vote: Pilson, aye; Hanson, aye; Manzolini, aye. Neal advised that the Clerk will certify, and the minutes will reflect, the exact language of the motion.

Neal moved to elect Alan Hanson the current Clerk of the Board of Selectmen. Roger seconded the motion, which passed by unanimous roll-call vote: Pilson, aye; Hanson, aye; Manzolini, aye.

**Approval of the First Change Order for the Building Project:** Danielle reported that in order get better coverage at a better price, this Change Order needed to be approved. Alan moved to accept the Change Order. He was seconded by Neal.

Roger explained the content of the Change Order (See attached). There was a discussion of the wording to be sure it was clear to all. There being no further discussion of the motion, and the motion having been made and seconded, it was adopted by unanimous roll-call vote: Pilson, aye; Hanson, aye; Manzolini, aye. Roger signed the Order as Chair.

**Discussion of Town Beach:** Al and Neal went to the beach to see the situation for themselves and originally found it a mess. It was noted that there had been some improvement subsequently. Roger noted that there were more issues than the garbage left strewn around: the float had been vandalized with the carpet ripped off the ladder ripped off and the float released from its anchorage. It was supposed that this kind of abusive behavior will often occur if there is no presence of any authority figure. Pete Beckwith, Highway Superintendent, asked for permission to remove the float, which was given.

Danielle said the Pond Monitor would lock the gate to the beach at 6:00 PM and that an effort is being made to hire a Beach Monitor for weekends.

A discussion followed of possibly closing the beach to all but Town residents. Before taking any such action, Neal advised having an opinion from Town Counsel. Danielle will reach out to Beth Goodman, Town Counsel, for guidance.

Dick Stover advised that because the State put money into the beach, it would not allow it to be closed to all but Richmond residents. Neal noted that the garbage issue had been addressed with some practical adjustments, but deliberate vandalism such as was visited on the floating dock is inexcusable and forces the Town to question whether the beach can remain open to all.

Tom Grizey asked for the timeline of the damage to the dock and was advised that it was first noticed that it had been unchained on Friday. It was reattached that same day, but by Monday the carpet had been ripped off, the ladder ripped off and the dock was found to be floating free.

Neal suggested that the Town close the beach at night and then examine other options. One such option suggested was the installation of security cameras which, with no electricity available at the site, would mean obtaining battery-operated wildlife cameras such as researchers use. Alan volunteered to research obtaining trail cameras.

**Updates from the Highway Department:** With Peter out with a back injury, Danielle provided the report: The Town has received the "Green Light Letter" from the State to begin using the WRAP funds for the drainage project on East Road and has also received permission from the State to use Chapter 90 money for its scheduled paving projects. She will be coordinating with the paving company that won the County bid to do work on Swamp, Cheever, Church, Scace Brook, Pilgrim and the end of East Road near Lenox.

The backhoe has been ordered. With the trade-in value of the old backhoe, the cost is right on budget and delivery is anticipated by Fall. There is no date or any offering on the truck build that was approved a year and one-half ago. The Boom Mower is out for repair of oil leaks.

**Sign Warrant for September State Primary:** The Primary will be held on Tuesday, September 6, 2022 from 7:00 AM to 8:00 PM. Danielle will provide all the necessary warrants for signature at the end of the meeting.

**Public Comment:** Dick Stover asked about the situation of the road behind the Church. Neal advised Dick that Danielle's time has been taken up with the Bond issue, but it is on her "to-do" list to contact the surveyor in order to get a layout for approval to redo the paving on that road.

Dick also asked about a report on rental houses at the Shores that the State has not yet provided. A discussion ensued that noted a list of homeowners that Dick had provided that were renting properties on short term bases The Town is attempting to get that information

from Air B&B and VRBO, the professional organizations that offer short-term rentals. The outcome of the discussion was the suggestion that the information the Town has or can obtain be provided to Paul Greene, the Building Inspection/Zoning Enforcement Officer, to have him look into the situation.

**Selectmen's Matters:** Neal raised the issue of excessive speeding of vehicles on East Road, which has become attractive for walkers during the week and on weekends. That creates a situation where there is potential for serious accidents as well as the dust that is thrown up by speeding cars. He asked that pedestrian signs be placed at the intersection of Swamp and East Road and at the intersection of Reservoir and East Road and also posting a suggested speed limit of 25 mph on yellow signs to alert drivers to the presence of pedestrians on the road. It was decided that further discussion and a plan of action would take place at the next meeting.

**Sewer Matters:** Tom Grizey reported that he has repaired the problem with the pumping station, but the chemical building has two pumps, one of which is out of order and the other not working properly. Roger advised Tom to supply the Board with a list of needed parts and it will be approved.

Roger addressed the EDU assessment for Camp Russell that he had been working on. He advised the Board that in his research he uncovered an Agreement signed by himself, Jackie and Alan (the members of the Board of Selectmen at the time) that agreed to an EDU assessment for the Camp of one EDU for a period of 30 years in exchange for the Camp allowing the placement of a chemical plant on their property. He also noted that John Olander had done a water-usage assessment of the Camp that shows their actual usage is below one EDU.

There being no further business before the Board, Neal moved that the meeting be adjourned at 7:20 PM. He was seconded by Alan and the motion passed by unanimous roll-call vote: Pilson, aye; Hanson, aye; Manzolini, aye.

Signed:

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Roger Manzolini, Chair