

**MARION BOARD OF SELECTMEN
WATER/SEWER COMMISSIONERS**

December 2, 2008

Minutes

The meeting was called to order at 6:04 p.m. at the Music Hall prior to the annual Selectmen's holiday party. Present were Chairman Jonathan F. Henry, Board members Roger F. Blanchette and Stephen M. Cushing, Town Administrator Paul F. Dawson, Clerk and Assessor Ray E. Pickles, Treasurer/Collector Gary Carreiro and Helene Craver, secretary.

The classification hearing continuation was opened. Mr. Pickles announced that the Board of Assessors is not prepared to go forward at this time, as certification has not been received from the Commonwealth and the Assessors request a further continuation until 4:00 p.m. on Wednesday, December 10 in the Assessors' office.

Mr. Cushing moved the continuation of the classification hearing as requested; the motion was seconded and carried unanimously.

Mr. Cushing moved the minutes of November 18, 2008; the motion was seconded and carried unanimously.

Mr. Carreiro met with the Board for a bond anticipation note signing. Mr. Dawson requested the Board sign \$6.996 million in bond anticipation notes consisting of a rollover borrowing to cover the village loop, fire truck repair and water debt. Mr. Dawson explained that this was short-term borrowing, to which they had added the borrowing for the police station. Mr. Blanchette pointed out that the rates were low for long-term borrowing. Mr. Carreiro said that they are planning on long-term borrowing in the future; the problem is going through a long and involved process to determine the ratings. Mr. Carreiro reported that he is hopeful of improving the Town's bond rating to AA+. Mr. Blanchette noted that the Secretary of the Treasury is planning on reducing rates once again and, in six months' time, Mr. Carreiro may wish to consider long-term borrowing, as the rates are really down. A brief discussion followed regarding the Town's rating and borrowing plans.

Mr. Cushing moved the following:

"I, the Clerk of the Board of Selectmen of the Town of Marion, Massachusetts, certify that, at a meeting of the Board held December 2, 2008, of which meeting all members of the Board were duly notified and at which time a quorum was present, the following votes were unanimously passed, all of which appear upon the official record in my custody:

"Voted: to approve the sale of \$6,995,000 2.75 percent General Obligation Bond Anticipation Note of the Town dated December 12, 2008 and payable December 11, 2009, to Commerce Capital Markets, Inc. at par and accrued interest plus a premium of \$99,979.53.

"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 November 18, 2008 and a Final Official Statement dated November 25, 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 undertakings 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 Note 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, 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 notice stating the place, date and time of the meeting was filed with the Town Clerk and a copy thereof posted in the office of the Town Clerk 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 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 G. L. c. 39, s. 23B, as amended."

The motion was seconded and carried unanimously.

Mr. Dawson distributed copies of the proposed contract between the Town and Jacunski Humes, the architect for the new police station. Mr. Dawson reported that the contract had been reviewed and changes made by the owner's project manager and building committee and is recommended as presented for signature. Mr. Dawson explained that the contract is for \$240,000, is within the budget and covers architectural services through construction. Mr. Dawson explained that the cost of the contract was based on a percentage (6%) of the construction cost, which is standard. Mr. Blanchette asked if the construction bid comes in less than the budgeted amount, will the cost of the architect's price be reduced? Mr. Dawson explained that it wouldn't, because the price is based on the best estimates of construction. Mr. Dawson recommended that the Board approve the contract and authorize him to sign on behalf of the Town.

Mr. Blanchette moved to approve the architect's contract with Jacunski Humes and authorize the Town Administrator to sign for the Town; the motion was seconded and carried unanimously.

Mr. Blanchette moved to approve one-day, all-alcohol licenses for the Marion Social Club for December 27, 2008 and January 24, 2009; the motion was seconded and carried unanimously.

Mr. Blanchette moved to authorize the Chairman to sign the application for recertification for Tree City, USA; the motion was seconded and carried unanimously.

Mr. Cushing moved water commitments for final readings for \$4,928.55; the motion was seconded and carried unanimously.

Mr. Cushing moved water commitments for a late bill run \$16,323.10; the motion was seconded and carried unanimously.

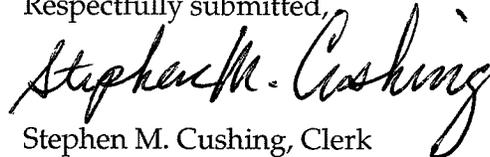
Mr. Cushing moved water commitment for new services for \$10,000; the motion was seconded and carried unanimously.

Mr. Dawson noted that Charles R. ("Pete") Smith has expressed interest in serving on the Marion Historical Commission and that the Chairman of the Historical Commission has recommended his appointment. It was decided to hold the appointment until the December 16 meeting, as is the usual process.

Mr. Henry announced that he has been approached by Judith Rosbe of the Historic Society concerning the restoration of the bandstand at Island Wharf. Mr. Henry said that this subject has been raised in the past and Ms. Rosbe wanted the Board to be aware of the Society's interest.

Mr. Cushing moved to adjourn at 6:40 p.m.; the motion was seconded and carried unanimously.

Respectfully submitted,


Stephen M. Cushing, Clerk

Date: 12/16/08