

BOARD OF SELECTMEN – MEETING OF JULY 9, 2013
TOWN HALL

PRESENT – Cathy Richardson, Chairperson, Joseph DiRocco, Jr., Vice Chairman, Robert O. Cox, Clerk, John J. Zimini, Dennis E. Piendak, Town Manager, Ann Vandal, Finance Director and Shannon Rowe Beaulieu, Recording Secretary.

TIME – The Chairman called the meeting to order at 5:31 p.m.

Mrs. Vandal discussed the Permanent Bonds for the High School project and the Town Hall project. Mrs. Vandal discussed the High School and Town Hall projects having a 3.75 interest rate with 20 year loans. Mrs. Vandal stated that this was the best interest rate they could get and discussed the High School project affecting the tax bills.

Mr. Piendak discussed funding and level funding.

Mrs. Vandal discussed two votes being needed, one vote for Series A totaling \$23 million and Series B totaling \$9.7 million.

Motion made by Mr. Zimini to approve the Permanent Bond as stated in the minutes below. Motion seconded by Mr. DiRocco. Motion passed unanimously.

I, the Clerk of the Board of Selectmen of the Town of Dracut, Massachusetts (the “Town”), certify that at a meeting of the board held July 9, 2013, 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 the sale of the \$23,000,000 General Obligation School Bonds, Series A of the Town dated July 15, 2013 (the “Series A Bonds”), to Janney Montgomery Scott LLC at the price of \$23,938,158.50 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on July 15 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>
2014	\$1,150,000	2.00%	2023	\$1,150,000	4.00%
2015	1,150,000	3.00	2024	1,150,000	4.00
2016	1,150,000	4.00	2025	1,150,000	4.00
2017	1,150,000	4.00	2026	1,150,000	4.00
2018	1,150,000	4.00	2027	1,150,000	4.00
2019	1,150,000	5.00	2028	1,150,000	4.00
2020	1,150,000	5.00	2029	1,150,000	4.00
2021	1,150,000	5.00	2033	4,600,000	4.375
2022	1,150,000	5.00			

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Further Voted: that the Series A Bonds maturing on July 15, 2033 (the “Series A Term Bond”) shall be subject to mandatory redemption or mature as follows:

Series A Term Bond due July 15, 2033

<u>Year</u>	<u>Amount</u>
2030	\$1,150,000
2031	1,150,000
2032	1,150,000
2033*	1,150,000

*Final Maturity

Motion made by Mr. DiRocco to approve the Permanent Bond as stated in the minutes below. Motion seconded by Mr. Zimini. Motion passed unanimously.

Further Voted: that the sale of the \$9,700,000 General Obligation Municipal Purpose Loan of 2013 Bonds, Series B of the Town dated July 15, 2013 (the “Series B Bonds,” and together with the Series A Bonds, the “Bonds”), to Janney Montgomery Scott LLC at the price of \$9,999,463.95 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on July 15 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>
2014	\$390,000	2.00%	2023	\$ 475,000	4.00%
2015	395,000	3.00	2024	485,000	4.00
2016	405,000	4.00	2025	500,000	4.00
2017	415,000	4.00	2026	510,000	4.00
2018	425,000	4.00	2027	515,000	4.00
2019	435,000	5.00	2028	530,000	4.00
2020	445,000	5.00	2029	545,000	4.125
2021	455,000	5.00	2033	2,310,000	4.375
2022	465,000	5.00			

Further Voted: that the Series B Bonds maturing on July 15, 2033 (the “Series B Term Bond”) shall be subject to mandatory redemption or mature as follows:

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Series B Term Bond due July 15, 2033

<u>Year</u>	<u>Amount</u>
2030	\$555,000
2031	570,000
2032	585,000
2033*	600,000

*Final Maturity

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 June 18, 2013, and a final Official Statement dated June 27, 2013 (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 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.

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 Treasurer to establish post issuance federal tax compliance procedures in such form as the 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.

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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.

Motion made by Mr. DiRocco to approve the \$9.55 Million Massachusetts Water Pollution Abatement Trust as stated in the minutes below. Motion seconded by Mr. Zimini. Motion passed unanimously.

I, the Clerk of the Board of Selectmen of the Town of Dracut, Massachusetts, certify that at a meeting of the board held July 9, 2013, of which meeting all members of the board were duly notified and at which a quorum was present, the following vote was passed, all of which appears upon the official record of the board in my custody:

- VOTED:
- (1) That the Town shall issue a bond or bonds in an aggregate principal amount not to exceed \$9,559,945 (the "Bonds") pursuant to Chapters 29C and 44 of the General Laws and a vote[s] of the Town passed June 4, 2012 (Article 12), which authorized a total borrowing of \$12,500,000, for the construction of sewers and other water pollution control facilities identified in such vote (the "Project");
 - (2) that in anticipation of the issuance of the Bonds the Treasurer is authorized to issue an interim loan note or notes (the "Notes") from time to time in an aggregate principal amount not to exceed \$9,559,945;
 - (3) that each Bond or Note shall be issued as a single registered security, and sold to the Massachusetts Water Pollution Abatement Trust (the "Trust") at a price determined pursuant to the Financing Agreement;
 - (4) that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond and Note, and to execute a Financing Agreement (or Agreements) with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and the specific interest rate or rates of

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the Bonds and Notes to be approved by a majority of the Board of Selectmen and the Treasurer and evidenced by their execution of the Bonds or Notes;

- (5) that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed; and
- (6) that the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary or convenient to carry out the provisions of this vote, including execution and delivery of the Financing Agreement(s) and the Project Regulatory Agreement(s) relating to the Project.

I further certify that the vote was adopted at a meeting open to the public, that no vote was taken by secret ballot, that notice stating the place, date, time and agenda of the meeting (which agenda included the adoption of the above vote) 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 decisions in connection with the sale of the Bonds or Notes 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.30A, §§18-25, as amended. I further certify that the vote has not been amended, supplemented or revoked and remains in effect on this date.

Mr. Piendak discussed the accepted Streets issue being the next major issue that the Town will face in the future regarding bond issues. Mr. Piendak stated that the Department of Public Works has a list of priorities of Streets and discussed the money coming out of the budget or being a Special Assessment.

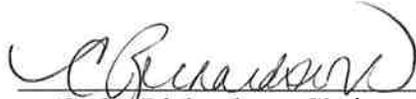
ADJOURNMENT

Motion made by Mr. Zimini to adjourn the meeting. Motion seconded by Mr. DiRocco. Motion passed unanimously.

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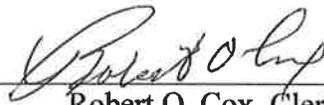
The meeting adjourned at 5:39 p.m.

BOARD OF SELECTMEN



Cathy Richardson, Chairperson

Joseph DiRocco, Jr., Vice Chairman



Robert O. Cox, Clerk

John J. Zimini

ABSENT
Tony Archinski