

**MINUTES
SPECIAL TOWN COUNCIL MEETING
STANDISH, MAINE
TUESDAY, SEPTEMBER 28, 2021
STANDISH MUNICIPAL CENTER
6:00 PM**

CALL TO ORDER

Chair LeClerc called the meeting to order, and the Pledge of Allegiance was recited

ROLL CALL

Councilors present: Butler, Delcourt, Gaba LeClerc, Libby, Macri and Paul.

NEW BUSINESS

It was explained that this order was needed to correct the amendment that was done at the September 14, 2021 meeting.

The Clerk explained that the town attorney had a suggested motion to be made.

Moved by Libby seconded by Gaba to adopt the Orders of the Town Council Authorizing the Issue of up to \$2,003,000 principal amount of Bonds and Bond Anticipation Notes. This Order shall effectively repeal and replace the Order adopted pursuant to agenda item 82-21 on September 14, 2021 as the previously adopted Order was switched with the Order to Authorize a Tax Anticipation Note in error. **Vote on motion 7 Yeas**

87-21 Town of Standish Orders of Town Council Authorizing issue of \$2,003,000 principal amount of Bonds and Notes in Anticipation of Such Bonds [Libby]

Chair LeClerc called Council discussion, hearing none he called for public discussion, hearing none he called for the vote.

WHEREAS, the voters of the Town of Standish, Maine (the "Town") approved the expenditure of funds and issuance of Bonds in a principal amount of up to: (a) \$265,000 for the acquisition of a new ambulance; (b) \$40,000 for the acquisition of a traffic control vehicle for public safety; (c) \$25,000 for the acquisition of a trail vehicle for public safety; (c) \$50,000 for the construction of an expansion to the living quarters at the Town's EMS facility; (d) \$25,000 for the acquisition of a CPR cardiac compression device; (e) \$258,000 for site preparation and improvements to the Standish Memorial Park; (f) \$460,000 for the acquisition of two new plow trucks; (g) \$125,000 for site preparation and construction of a new salt and sand storage facility; (h) \$180,000 for the construction, repair and replacement of a new culvert on Blake Road; and (i) \$575,000 for the maintenance and pavement of various Town roads, as more particularly described in said Town Meeting referendum approvals, dated June 8, 2021 (the "Projects"); and

WHEREAS, the Town Council desires to authorize the issuance of up to \$2,003,000 principal amount of Town's General Obligation Bonds and the issuance of temporary notes in anticipation of and to be refunded by such Bonds through Androscoggin Savings Bank, and to authorize the sale of such Bonds to the Maine Municipal Bond Bank for inclusion in its Spring, 2022 issue;

NOW, THEREFORE, be it voted, ordered and ordained by the Town Council of the Town as follows:

1. Pursuant to the Town Meeting referendum held on June 8, 2021, the Town Charter, Maine law and all other authority thereto enabling, and to provide funds to finance up to \$2,003,000 of costs of the Projects, and to refund any temporary notes issued pursuant thereto, the Town Treasurer is hereby authorized and empowered in the name and on behalf of the Town to expend and borrow up to \$2,003,000 from the Maine Municipal Bond Bank (the "Bank") pursuant to a Loan Agreement between the Town and the Bank providing for a loan from the Bank in the principal amount not in excess of \$2,003,000, and the Treasurer of the Town be and hereby is authorized and empowered, in the name and on behalf of the Town, to execute and deliver, under the seal of the Town, attested by its Clerk, a Loan Agreement to be in the usual and ordinary form utilized by the Bank, which is hereby approved, and to contain such other terms and provisions, not contrary to the general tenor hereof, as the Treasurer may approve, with his approval to be conclusively evidenced by his execution thereof.

2. Pursuant to the Town Meeting referendum held on June 8, 2021, and the provisions of Maine law, the Town Charter and all other authority thereto enabling, and in order to provide funds for the purposes described in the foregoing paragraph, the Town Council of the Town hereby approves and authorizes the issue, sale and delivery to the Bank as evidence of the aforesaid loan of up to \$2,003,000 and against payment therefor, the Bonds of the Town in a principal amount not to exceed \$2,003,000, such Bonds to mature and be payable on such dates and in such amounts as approved by the Treasurer; to bear interest at the rates specified by the Bank for its Spring 2022 issue, which rates shall be subject to approval by the Town Treasurer of the Town, such approval to be conclusively evidenced by his execution and delivery of such Bonds, payable semi-annually; to be issued as a single, fully registered Bond in the an amount not to

exceed \$2,003,000 maturing and payable in installments as aforesaid; to be signed by the Town Treasurer and countersigned by the Chair of the Town Council of the Town and to be sealed with the seal of the Town and attested by its Clerk; and to be in such form and contain such terms and provisions as the officers executing the same may approve their approval to be conclusively evidenced by their execution thereof.

3. The Treasurer of the Town and other proper officials of the Town be, and hereby are, authorized and empowered in its name and on its behalf, to do or cause to be done all such acts and things as may be deemed necessary or desirable in order to effect the borrowing from said Bank of up to \$2,003,000 and the issue and delivery to said Bank as evidence thereof of a corresponding principal amount of the Bonds of the Town as hereinabove authorized.

4. If the Treasurer of the Town, the Chair of the Town Council or Town Clerk are for any reason unavailable to approve and execute the Bonds or Notes, or any other documents necessary or convenient to the issuance, execution and delivery of the Bonds or Notes, the person or persons then acting in any such capacity, whether as an assistant, a deputy, or otherwise, is authorized to act for such official with the same force and effect as if such official had performed such act.

5. The Town is authorized to issue General Obligation Bond Anticipation Notes, in anticipation of such Bonds, up to an amount equal to \$2,003,000, such Notes to be signed by the Town Treasurer and countersigned by the Chair of the Town Council of the Town and to be sealed with the seal of the Town and attested by its Clerk; and to be in such form and contain such terms and provisions as the officers executing the same may approve, their approval to be conclusively evidenced by their execution thereof.

6. The Town covenants and certifies that, as to any of the Bonds and Notes that are issued with the intent that interest thereon be exempt from federal income taxation, no part of the proceeds of the issue and sale of such Bonds and Notes authorized to be issued by the foregoing (including any notes and bonds in renewal thereof) shall be used, directly or indirectly, in such manner which would cause such Bonds or Notes of the Town to be "private activity bonds" or "arbitrage bonds" within the meaning of Sections 141 and 148, respectively, of the Internal Revenue Code of 1986, as amended (the "Code").

7. The Town hereby declares its official intent within the meaning of Treasury Regulation 1.150-2 to pay, on an interim basis, costs of the Projects from the General Fund of the Town up to \$2,003,000, which costs the Town reasonably expects to reimburse with proceeds of the Bonds or Notes.

Adopted this 28th day of September, 2021 by the Municipal Officers of Standish, Maine:

/s/ Gregory LeClerc, Chair

/s/ Sarah Gaba, Vice Chair

/s/ Michael Delcourt

/s/ Benjamin Macri

/s/ Brian Libby

/s/ Walter Butler

/s/ Joseph Paul

VOTE: 7 Yeas

Moved by Libby seconded by Gaba to adopt the Orders of the Town Council Authorizing a Tax Anticipation Note in the amount of up to \$1, 950,000. This Order shall effectively repeal and replace the Order adopted pursuant to agenda item 83-21 on September 14, 2021 as the previously adopted Order was switched with the Order to Authorize the Issuance of Bonds and Bond Anticipation Notes in error. **Vote on motion 7 Yeas**

88-21 Town of Standish Town Council Orders Authorizing Tax Anticipation Borrowing [Libby]

Ordered that, pursuant to Section 5771 of Title 30-A of the Maine Revised Statutes, as amended, the Treasurer of the Town is hereby authorized and empowered to borrow money from time to time during the fiscal year ending June 30, 2022 in the principal amount or amounts not exceeding \$1,950,000 at any one time outstanding, in anticipation of the collections or receipts from taxes, by the issuance of tax anticipation notes of the Town, each of which notes shall be designated "Town of Standish Fall 2021 Tax Anticipation Notes." All of such tax anticipation notes, and any extensions, renewals or replacements thereof, shall be signed by the Town Treasurer and countersigned by the Chair or the Vice Chair of the Town Council, shall be payable on such date as determined by the Town Treasurer, out of money raised by taxation during the fiscal year ending June 30, 2022, shall bear interest payable at maturity at a rate determined in the manner as approved by the Treasurer, and shall contain such other terms and provisions, not inconsistent herewith, and be in such form, as shall be approved by the officers signing the same, whose approval shall be conclusively evidenced by their execution thereof, and

Be It Further Ordered that the Treasurer of the Town is hereby authorized to award the notes to such person or entity as he deems appropriate, and

Be It Further Ordered that the notes authorized by the foregoing are hereby designated as qualified tax exempt obligations for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended, and

Be It Further Ordered that the Treasurer of the Town be authorized to covenant with the purchasers of the notes on behalf of the Town and for the benefit of the holders of the notes, that the Town will take whatever steps, and refrain from taking any action, as may be necessary or appropriate to ensure that interest on the notes will remain free from federal income taxes, including without limitation, the

filing of information returns and reports with the Internal Revenue Service and the payment of any rebate due to the United States of America.

Adopted this 28th day of September, 2021 by the Municipal Officers of Standish, Maine:

/s/ Gregory LeClerc, Chair

/s/ Sarah Gaba, Vice Chair

/s/ Michael Delcourt

/s/ Benjamin Macri

/s/ Brian Libby

/s/ Walter Butler

/s/ Joseph Paul

VOTE: 7 Yeas

89-21 Town Council Appointments to Various Boards and Committees [Gaba]

Moved by Gaba seconded by Macri and voted to amend the order by adding the following appointments:

Carol Waig to the Budget Committee

Pamela Smith to the Budget Committee

Wendy Almeida to the Recycling Committee

William Cassidy to the Board of Assessment Review

Claudia Morton to the Board of Assessment Review

VOTE ON AMENDMENT: 7 Yeas

Chair LeClerc called Council discussion, hearing none he called for public discussion, hearing none he called for the vote on the order as amended.

ORDERED that the following Town Council appointment is made through the date shown:

Town Clerk's nomination of Jacklyn Dyer to the Registration Appeals Board through April 2022.

Carol Waig to the Budget Committee

Pamela Smith to the Budget Committee

Wendy Almeida to the Recycling Committee

William Cassidy to the Board of Assessment Review

Claudia Morton to the Board of Assessment Review

VOTE ON ORDER AS AMENDED: 7 Yeas

PUBLIC ITEMS

There were no public items at this meeting

EXECUTIVE SESSION

An executive session was not held at this meeting.

ADJOURN

Moved seconded and voted to adjourn. The meeting adjourned at 6:35 p.m. by unanimous consent.

Submitted by: _____
Clerk/secretary

