

MARBLEHEAD MUNICIPAL LIGHT COMMISSION  
Tuesday, January 31, 2017  
40 Tioga Way, 3<sup>RD</sup> Floor, Conference Room, Marblehead, MA

Minutes

Present for the meeting were: Commissioners – Chairman Hull, Kowalik, Maccario and Tumulty, General Manager Hadden, Finance Assistant Barrett, Manager of Technical Operations Coleman

Chairman Hull opened the meeting at 4:00 P.M.

**Minutes:**

**Vote: #2017 - 6**

It was moved by Commissioner Tumulty and seconded by Commissioner Maccario to approve the minutes of January 10, 2017 meeting. **Hull, Kowalik and Tumulty in favor: Maccario abstained**

**Financial Report:**

Finance Assistant Barrett distributed to and discussed with the Commission the November 2016 Operating Statement and the December 2016 Accrued Operating Statement.

The Purchased Power Adjustment for January 2017 will be .16 cents per Kwh for all customers.

**MMLD Reimbursement Resolution with MMWEC:**

**Vote: #2017 – 7**

It was moved by Commissioner Tumulty and seconded by Commissioner Kowalik to adopt the following resolution:

WHEREAS, the Marblehead Municipal Light Department (the "MMLD"), borrowing directly with all of the proceeds to be used for the MMLD's benefit, has and continues to have an intention to finance the Project (as hereinafter defined) with debt; and

WHEREAS, the Internal Revenue Code and applicable regulations require the MMLD to take certain action in connection with the payment of certain Project Expenditures (as hereinafter defined) prior to the issuance of tax-exempt bonds or other evidences of indebtedness in order to allow the MMLD to be reimbursed for such Project Expenditures;

NOW THEREFORE BE IT RESOLVED THAT:

1. The statements contained in this Resolution with respect to the reimbursement of Project Expenditures are intended to be statements of official intent as

required by, and in conformance with, the provisions of Treasury Regulation Section 1.150-2(e).

2. For purposes of this Resolution: (a) "Project" shall mean the MMLD's designing, permitting, building, and furnishing a renovated light department building at 80 Commercial Street, Marblehead Massachusetts; and (b) "Project Expenditures" shall mean and include the expenditures incurred and made in connection with planning, designing or constructing the Project, which Project Expenditures include but are not limited to expenditures/costs for legal, consulting, engineering, environmental, construction, financial, restriction releases and other related expenditures and costs incurred.

3. This Resolution is intended to clarify the MMLD's intention that: (a) Project Expenditures be reimbursed with the proceeds of debt issued by the MMLD through the Massachusetts Municipal Wholesale Electric Company's ("MMWEC") Pooled Loan Program; and (b) this Resolution, and any prior written statements of MMLD's intention satisfying the requirements of Treasury Regulation section 1.150-2(e) permit reimbursement of Project Expenditures incurred and paid within 60 days prior to the date of such statements.

4. The MMLD hereby further states that commencing in 2016 and continuing through today, it has incurred and paid preliminary Project Expenditures, comprised of engineering, surveying, and costs similarly incurred prior to commencement of construction, but excluding costs of site preparation, and similar costs incident to commencement of construction and that the MMLD expects to make additional Project Expenditures in the future.

5. The maximum principal amount of debt expected to be issued for the Project is \$4,500,000.00.

6. The MMLD reasonably expects to reimburse the Project Expenditures with the proceeds of tax-exempt debt issued by the Massachusetts Municipal Wholesale Electric Company ("MMWEC") through MMWEC's Pooled Loan Program subsequent to the date hereof; however, this Resolution does not constitute a binding obligation of the MMLD to issue such debt.

7. This Resolution shall take effect immediately. **Unanimous**

### **Building Renovation:**

#### **Vote #2017 - 8**

It was moved by Commissioner Maccario and seconded by Commissioner Kowalik to hire NSC (North Shore Consultancy Construction Consultants) as the project manager for the building renovation. **Unanimous**

**Adjourn:**

Chairman Hull requested a motion to adjourn.

**Vote #2017 - 9**

It was moved by Commissioner Tumulty and seconded by Commissioner Kowalik to adjourn at 5:45. **Unanimous**

.