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CITY OF HAVERHILL

In Municipal Council

Loan Order – South Mill Street Pumping Station and Force Main Improvements

ORDERED: That Twenty-six Million One Hundred and Ninety Thousand Dollars ($26,190,000) is appropriated for the purpose of financing the costs of engineering and construction of improvements to the South Mill Street Pumping Station and Force Main, including the payment of all costs incidental or related thereto, and including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended ("Chapter 29C"); that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44 of the General Laws and/or Chapter 29C, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor; that such bonds or notes shall be general obligations of the City unless the Treasurer, with the approval of the Mayor, determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer, with the approval of the Mayor, is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C ("the Trust"); and in connection therewith to enter into a financing agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Mayor is authorized to enter into any agreements with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary or convenient to carry out the project.

FURTHER ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City authorized to be borrowed pursuant to this loan order, and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith. The Mayor is authorized to apply for and except any and all grants that may be available to pay costs of this project, and the total borrowing authorized by this order shall be reduced to the extent of any such grants received by the City for this project.