

BARNSTABLE COUNTY
In the Year Two Thousand Twenty
Proposed Ordinance 20-28

To add to the County's operating budget for the fiscal year two-thousand and twenty-one, as enacted in Ordinance No. 20-04, by making supplemental appropriations for the fiscal year two-thousand and twenty-one, and authorizing the filing of an application with the Massachusetts Department of Environmental Protection for State Financial Assistance for Water Pollution Abatement Projects

WHEREAS, Barnstable County, after thorough investigation, has determined that the work activity consisting of the proposed site capping, select building demolition, and related stormwater improvement project at the Barnstable County Fire and Rescue Training Academy Site; is both in the public interest and necessary to apply for assistance; and

WHEREAS, the Massachusetts Department of Environmental Protection and the Massachusetts Clean Water Trust of the Commonwealth of Massachusetts, pursuant to Chapter 21 and Chapter 29C of the General Laws of the Commonwealth authorized to make loans to municipalities for the purpose of funding planning and construction activities relative to Water Pollution Abatement Projects; and

Whereas Barnstable County has examined the provisions of the Act, Chapter 21 and Chapter 29C, and believes it to be in the public interest to file a loan application. As such, the Massachusetts Department of Environmental Protection (MassDEP) provided written approval on July 17, 2020 to file a loan application for emergency financial assistance via the Clean Water State Revolving Fund.

The Cape Cod regional government, known as Barnstable county hereby ordains;

SECTION 1: In order to fund the proposed site capping, select building demolition, and related stormwater improvement project at the Barnstable County Fire and Rescue Training Academy Site, the additional sum of One Million Five Hundred Thousand Dollars (\$1,500,00.00) is hereby appropriated as a supplemental appropriation for Barnstable County for the fiscal year ending June thirtieth, two thousand and twenty-one. be appropriated to pay the costs of the project above, including the payment of all incidental and related costs.

SECTION 2: For the purposes set forth in Section 1, the County Treasurer, with the approval of the Commissioners, may borrow such sum from time to time, on the credit of Barnstable County, and may therefore issue bonds and/or notes.

SECTION 3: All bonds or notes issued pursuant to this ordinance shall be signed by the County Treasurer and countersigned by a majority of the Board of Regional Commissioners. Barnstable County may sell securities at a public or private sale upon such terms and conditions as the Regional Commissioners may deem proper but not at prices of less than par value. Indebtedness incurred under this proposed ordinance shall, except as herein provided, be subject to Chapter 35 of the General Laws.

SECTION 4: The Treasurer, with the approval of a majority of the Board of Regional Commissioners is authorized to borrow all or a portion of such amount from the Massachusetts Department of Environmental Protection and the Massachusetts Clean Water Trust of the Commonwealth of Massachusetts, pursuant to Chapter 21 and Chapter 29C of the General Laws of the Commonwealth.

SECTION 5: The County Administrator is hereby authorized on behalf of the Barnstable county to file applications and execute agreements for grant and/or loan assistance, 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.

The County Administrator is also authorized to furnish such information, data and documents pertaining to the applicant for a grant(s) and/or loan(s) as may be required; and otherwise, to act as the authorized representative of Barnstable county in connection with this application. The purpose of said loan(s), if awarded, shall be to fund construction activities. If said award is made Barnstable county agrees to pay those costs which constitute its share of the project cost.

(Submitted by the Board of regional Commissioners at a virtual meeting of the Assembly of Delegates held on December 16, 2020)