

THE FOLLOWING MINUTES RE SUBJECT TO APPROVAL BY THE BOARD OF
SELECTMEN

The Board of Selectmen held a regular meeting Monday, April 4, 2022. The meeting was held in the Council Chambers at the Newtown Municipal Center. First Selectman Rosenthal called the meeting to order at 7:35 p.m. and opened the meeting with salute to the flag.

PRESENT: First Selectman Daniel C. Rosenthal, Selectman Maureen Crick Owen and Selectman Ed Schierloh.

ALSO PRESENT: Finance Director Robert Tait, Public Building & Site Commission Chair Art Norton and Vice Chair Allen Adriani, remote attendance: School Facilities Director Bob Gerbert, Michael Dell'Accio and Steve Smith of Downes Construction and Christopher Williams of Christopher Williams Architects.

VOTER COMMENTS: none.

ACCEPTANCE OF THE MINUTES: Selectman Crick Owen moved to accept the regular meeting minutes of March 21, 2022. Selectman Schierloh seconded. All in favor.

COMMUNICATIONS: none.

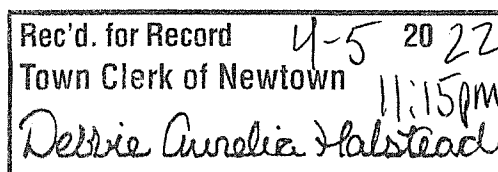
FINANCE DIRECTORS REPORT: none.

NEW BUSINESS

Discussion and possible action:

1. Hawley HVAC project Guaranteed Maximum Price (GMP): Art Norton explained the Public Building and Site Commission met prior to the Board of Selectmen meeting to discuss value engineering and vote on the GMP, which includes buildings A & B and building C one unit for six rooms in the 1997 building. PBSC voted on a GMP of \$7,491,086. Selectman Crick Owen questioned items removed in the value engineering (VE). Mr. Norton said most of the VE is related to the 1997 building as work there can be managed at another time; there will be no abatement necessary. There is risk at the beginning of the project, during demo and abatement and in the 1921 building, supporting rooftop units with structural beams. Mr. Norton stated this project will be treated like the Police Department project. There is an Ad Hoc Committee that will attend each meeting with the construction manager and the architect. Selectman Schierloh would be comfortable with a larger margin but will accept the recommendation of PBSC. Mr. Norton noted that because some items were bid three times Downes and Christopher Williams were forced to dig into the project, value engineer and see where all dollars are going. Due diligence was done early on. Bids will not be released without review of counsel. Selectman Crick Owen moved to accept the Guaranteed Maximum Price (GMP) for the Hawley HVAC project in the amount of \$7,491,086, pending review by counsel (att.). Selectman Schierloh seconded. All in favor.

2. Set Time & Date of Referendum: Selectman Crick Owen moved to set the date and time for the referendum for April 26, 2022, from 6:00 a.m. to 8:00 p.m. First Selectman Rosenthal noted the Legislative Council will act on this item on April 6. Counsel approved the item being addressed out of order. Selectman Schierloh seconded. All in favor.



3. Amend CIP for Newtown High School Stadium Turf Practice Field Project: Selectman Crick Owen moved to amend the CIP for the Newtown High School Stadium Turf Practice Field project for year 2022-2023 to \$781,000 (att.). Selectman Schierloh seconded. All in favor.

4. Resolution: Selectman Crick Owen moved the resolution: RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$781,000 FOR THE CONSTRUCTION, MAINTENANCE AND RENOVATION OF THE NEWTOWN HIGH SCHOOL STADIUM TURF PRACTICE FIELD AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2022-23 TO 2026-27) AND AUTHORIZING THE ISSUANCE OF \$781,000 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE and also moved to waive the reading of the entire resolution (att.). Selectman Schierloh seconded. All in favor.

5. CT State Library Historic Documents Preservation Program grant acceptance: Selectman Crick Owen moved to accept the Historic Documents Preservation Program Grant in the amount of \$7,500. Selectman Schierloh seconded. All in favor.

6. Fair Housing Officer Resolution: Selectman Crick Owen moved to name Kimberly Chiappetta, Economic and Community Development & Fairfield Hills Coordinator as the Fair Housing Officer for the Town of Newtown. Selectman Schierloh seconded. All in favor.

7. Fair Housing Resolution: Selectman Schierloh moved to accept the Fair Housing Resolution for the Town of Newtown. Selectman Schierloh seconded. All in favor.

8. Appointments/Reappointments/Vacancies/Openings: none.

9. Driveway Bond Release/Extension: none.

10. Tax Refunds: Selectman Crick Owen moved the tax refunds #17, 2021/22 in the amount of \$16,144.65. Selectman Schierloh seconded. All in favor.

VOTER COMMENTS: none.

ANNOUNCEMENTS: none.

ADJOURNMENT: Having no further business the regular Board of Selectmen meeting was adjourned at 7:59p.m.

Att: GMP, Hawley HVAC; CIP amendment NHS turf; Resolution NHS HVAC; excerpts

Respectfully submitted,
Susan Marcinek, clerk

A.1.1.2 - GUARANTEED MAXIMUM PRICE

HAWLEY ELEMENTARY SCHOOL
EXHIBIT-A - GMP - ATTACHMENT #01

3/31/2022



Provided below is an itemized statement of the Guaranteed Maximum Price organized by trade categories, allowances, contingencies, alternates, the Construction Manager's Fee, and other items that comprise the Guaranteed Maximum Price.

NUMBER	DESCRIPTION	Original Agreement Preconstruction Services	Bid Value	CONTRACTOR
015000	TEMPORARY FACILITIES AND CONTROLS		\$ 278,326	DOWNES
016000	FINAL CLEANING		\$ 43,870	ORISSA
024119	SELECTIVE DEMOLITION & ABATEMENT		\$ 644,000	BESTECH
033000	CAST-IN-PLACE CONCRETE		\$ 25,000	DOWNES
042000	UNIT MASONRY		\$ 162,800	DOWNES / MID-STATE
051200	STRUCTURAL STEEL		\$ 313,600	GENERAL WELDING
061000	ROUGH CARPENTRY		\$ 133,829	DOWNES
062000	FINISH CARPENTRY		\$ 31,844	DOWNES
063000	FLOOR PROTECTION		\$ 73,730	DOWNES
075500	MEMBRANE ROOFING		\$ 447,900	BARRETT
079200	JOINT SEALANTS		w/ trades	
081000	DOORS & HOLLOW METAL FRAMES		\$ 3,700	DOWNES
083113	ACCESS DOORS		w/23000	
089000	FIXED LOUVERS		w/23000	
090120	PLASTER RESTORATION		w/092100	
092100	GYPSUM BOARD ASSEMBLIES		\$ 266,008	CENTERLINE
095113	ACOUSTICAL PANEL CEILINGS		\$ 199,000	J&J ACOUSTICS
096513	RESILIENT BASE AND ACCESSORIES		w/ 096519	
096519	RESILIENT TILE FLOORING		\$ 22,568	DOWNES / R&B
099100	PAINTING AND FINISHING		\$ 89,100	PROFESSIONAL
210000	FIRE SUPPRESSION		w/ 23000	
220000	PLUMBING		w/23000	
230000	HVAC		\$ 3,422,000	MEGA
260000	ELECTRICAL		\$ 899,000	SHEA
284621.11	ADDRESSABLE FIRE-ALARM SYSTEMS		w/26000	
312000	EARTH MOVING		w/26000	
	Cost Management/VE			
VE #1a	ELIMINATE AREA A LOW ROOF RTUs 1-6		\$ (635,774)	
VE #2	EPDM in LIEU OF MODIFIED ROOFING AT DORMERS		\$ (3,360)	
VE #5b	REMOVE ROOF WALKWAYS AREA B		\$ (3,180)	
VE #5c	REMOVE ROOF WALKWAYS AREA A RTU-7 ONLY		\$ (990)	
VE #15B	ELIMINATE PAINTING AT CUPOLA LOUVERS		\$ (10,450)	
VE #18	ELIMINATE 2ND FINAL CLEANING		\$ (3,500)	
ALT #1	DEDUCT ALT #01 ROOF EDGE PROTECTION AT AREA C		\$ (56,400)	
ALLOW	ADDITIONAL HAZMAT		Not included	
ALLOW	ROOFING PATCH AND REPAIR		\$ 5,000	
ALLOW	EQUIPMENT ACCESS / DOOR MODIFICATION		\$ 10,000	
ALLOW	ADDITIONAL GLYCOL		\$ 20,000	
ALLOW	CUTTING AND PATCHING		\$ 22,500	
ALLOW	RELOCATE EXISTING MEFP NOT QUANTIFIABLE		\$ 35,000	
ALLOW	FLOOD MITIGATION/DRIP PAN/PLATFORM		\$ 5,000	
ALLOW	UTILITY BRIDGES PER ADD. #04 ITB #01		\$ 5,000	
ALLOW	TESTING AND SPECIAL INSPECTIONS		w/soft cost	
ALLOW	COVID 19/PROCUREMENT ALLOWANCE		\$ 10,000	
TRADE PACKAGE TOTAL			\$ 6,455,121	
0.026%	STATE EDUCATION FEE		\$ 1,678	

	BUILDING PERMIT FEE		WAIVED BY OWNER	
	PRECONSTRUCTION SERVICES	\$25,000	w/Other	
	GENERAL CONDITIONS		\$ 465,895	
	EARLY PROCUREMENT SERVICES		\$ 17,400	
	MEP COORDINATION		w/Trades	
6%	VE/COST MANAGEMENT CONTINGENCY		\$ 45,317	
0.75%	GENERAL INSURANCE		\$ 52,391	
0.82%	CM P & P BONDS		\$ 57,710	
0.35%	BUILDERS RISK		BY OWNER	
3%	CONTINGENCY - (CM Construction - GMP)		\$ 212,865	
2.50%	CMR FEE		\$ 182,709	
		TOTAL GMP:	\$ 7,491,086	

	OWNER ITEMS NOT INCLUDED IN GMP:			
	OWNERS SOFT COSTS (MANAGED BY OWNER)		SEE BELOW	
	DESIGN FEES		\$ 66,265	
	COMMISSIONING		\$ 30,000	
	MATERIALS TESTING AND INSPECTIONS		\$ 10,000	
	BUILDERS RISK		\$ 10,000	
	ABATEMENT MONITORING AND AIR QUALITY TESTING		\$ 35,000	
	LAND SURVEY WORK		\$ 7,500	
5%	OWNERS CONTINGENCY (MANAGED BY OWNER)		\$ 350,000	
	TOTAL PROJECT COST		\$ 7,999,851	
	APPROVED REFERENDUM VALUE		\$ 8,000,000	
	OVER / (UNDER) REFERENDUM VALUE		\$ (149)	

NOTE: OWNER ITEMS ARE SHOWN ABOVE FOR EASE OF REFERENCE. THESE ITEMS ARE NOT GUARANTEED BY DOWNES.

Project Costs Not Included in the Above GMP or Owner Soft Costs		
Design Fee Services SD, DD, CD		
Downes Preconstruction Estimating Services		

AMENDED

1/19/2022

**TOWN OF NEWTOWN
LEGISLATIVE COUNCIL ADOPTED CIP - (2022 - 2023 TO 2026 - 2027)**

2022 - 2023 (YEAR ONE)			Proposed Funding			
	Dept.	Amount Requested	Bonding	Grants	General Fund	Other
Capital Road Program	PW	3,000,000			2,750,000	250,000
Bridge Replacement Program	PW	400,000	400,000			
Replacement of Fire Apparatus	FIRE	500,000	500,000			
Sandy Hook Permanent Memorial	SH MEM	1,700,000	600,000			1,100,000
Building Remediation & Demo / Infrastructure	FHA	2,000,000	2,000,000			
Clean Up of 28A Glen Road	ECON DEV	650,000	650,000			
Town Match - Grants (contingency)	ECON DEV	200,000				200,000
Edmond Town Hall Parking Lot Improvements	ETH	600,000	600,000			
Library Renovations / replacements / upgrades	LIB	350,000	350,000			
Hawley - Ventilation and HVAC (part 2 of 3)	BOE	2,500,000	1,500,000			1,000,000
Head O'Meadow - Boiler Plant	BOE	424,500	424,500			
High School - HVAC Equipment Replacements	BOE	850,000	850,000			
High School - Turf Practice Field (rear)	BOE	781,000	460,000			321,000
TOTALS	>>>>>>>	13,955,500	8,334,500	-	2,750,000	2,871,000
2023 - 2024 (YEAR TWO)			Proposed Funding			
	Dept.	Amount Requested	Bonding	Grants	General Fund	Other
Capital Road Program	PW	3,050,000			3,050,000	
Bridge Replacement Program	PW	400,000	400,000			
Multi-Purpose Building Electrical/Mechanical/HVAC	PW	413,000	413,000			
Municipal Center - Roof Remediation & Replacement	PW	1,000,000	1,000,000			
Replacement of Fire Apparatus	FIRE	1,085,000	800,000			285,000
Building Remediation & Demo / Infrastructure	FHA	1,500,000	1,500,000			
Town Match - Grants (contingency)	ECON DEV	200,000				200,000
Lake Lillinonah Park Improvements	P & R	500,000				500,000
Library Renovations / replacements / upgrades	LIB	570,000	570,000			
Hawley - Ventilation and HVAC (part 3 of 3)	BOE	4,000,000	4,000,000			
High School - HVAC Equipment Replacements	BOE	850,000	850,000			
Middle School - HVAC Design	BOE	450,000	450,000			
Head O'Meadow - Replace Condensing Units	BOE	750,000	750,000			
TOTALS	>>>>>>>	14,768,000	10,733,000	-	3,050,000	985,000
2024 - 2025 (YEAR THREE)			Proposed Funding			
	Dept.	Amount Requested	Bonding	Grants	General Fund	Other
Capital Road Program	PW	3,100,000			3,100,000	
Town Match - Grants (contingency)	ECON DEV	200,000				200,000
Truck Washing Station	PW	50,000				50,000
TOTALS	>>>>>>>	3,350,000		-	3,100,000	250,000
2025 - 2026 (YEAR FOUR)			Proposed Funding			
	Dept.	Amount Requested	Bonding	Grants	General Fund	Other
Capital Road Program	PW	3,150,000			3,150,000	
Bridge Replacement Program	PW	400,000	400,000			
Truck Washing Station	PW	550,000	550,000			
PW Site & Salt Storage Improvements	PW	50,000				50,000
Replacement of Fire Apparatus	FIRE	800,000	800,000			
Building Remediation & Demo / Infrastructure	FHA	2,000,000	2,000,000			
Town Match - Grants (contingency)	ECON DEV	200,000				200,000
Edmond Town Hall Building Renovations	ETH	550,000	550,000			
Treadwell Artificial Turf & Lighting	P & R	800,000	250,000			550,000
Rail Trail - Batchelder Park	P & R	1,400,000		1,400,000		
Middle School - HVAC Construction	BOE	8,000,000	8,000,000			
TOTALS	>>>>>>>	17,900,000	12,550,000	1,400,000	3,150,000	800,000
2026 - 2027 (YEAR FIVE)			Proposed Funding			
	Dept.	Amount Requested	Bonding	Grants	General Fund	Other
Capital Road Program	PW	3,200,000			3,200,000	
Bridge Replacement Program	PW	400,000	400,000			
PW Site & Salt Storage Improvements	PW	600,000	600,000			
Transfer Station Improvements	PW	400,000	400,000			
Replacement of Fire Apparatus	FIRE	820,000	820,000			
Building Remediation & Demo / Infrastructure	FHA	2,000,000	2,000,000			
Town Match - Grants (contingency)	ECON DEV	200,000				200,000
Fairfield Hills Water Infrastructure	WSA	750,000				750,000
High School - HVAC Equipment Replacements	BOE	400,000	400,000			
Middle Gate - Window Replacement	BOE	1,100,000	1,100,000			
Middle Gate - Bathrooms Renovations	BOE	200,000	200,000			
High School - Replace F-Wing Chiller	BOE	500,000	500,000			
High School - Roof Replacement - BUR areas	BOE	450,000	450,000			
TOTALS	>>>>>>>	11,020,000	6,870,000	-	3,200,000	950,000
Appropriated						
GRAND TOTALS		60,993,500	38,487,500	1,400,000	15,250,000	5,856,000

TOWN OF NEWTOWN
LEGISLATIVE COUNCIL ADOPTED CIP - (2022 - 2023 TO 2026 - 2027)

2022 - 2023 (YEAR ONE)			Proposed Funding			
	Dept.	Amount Requested	Bonding	Grants	General Fund	Other
Capital Road Program	PW	3,000,000			2,750,000	250,000
Bridge Replacement Program	PW	400,000	400,000			
Replacement of Fire Apparatus	FIRE	500,000	500,000			
Sandy Hook Permanent Memorial	SH MEM	1,700,000	600,000			1,100,000
Building Remediation & Demo / Infrastructure	FHA	2,000,000	2,000,000			
Clean Up of 28A Glen Road	ECON DEV	650,000	650,000			
Town Match - Grants (contingency)	ECON DEV	200,000				200,000
Edmond Town Hall Parking Lot Improvements	ETH	600,000	600,000			
Library Renovations / replacements / upgrades	LIB	350,000	350,000			
Hawley - Ventilation and HVAC (part 2 of 3)	BOE	2,500,000	1,500,000			1,000,000
Head O'Meadow - Boiler Plant	BOE	424,500	424,500			
High School - HVAC Equipment Replacements	BOE	850,000	850,000			
High School - Turf Practice Field (rear)	BOE	760,000	460,000			300,000
TOTALS	>>>>>>>	13,934,500	8,334,500	-	2,750,000	2,850,000
2023 - 2024 (YEAR TWO)			Proposed Funding			
	Dept.	Amount Requested	Bonding	Grants	General Fund	Other
Capital Road Program	PW	3,050,000			3,050,000	
Bridge Replacement Program	PW	400,000	400,000			
Multi-Purpose Building Electrical/Mechanical/HVAC	PW	413,000	413,000			
Municipal Center - Roof Remediation & Replacement	PW	1,000,000	1,000,000			
Replacement of Fire Apparatus	FIRE	1,085,000	800,000			285,000
Building Remediation & Demo / Infrastructure	FHA	1,500,000	1,500,000			
Town Match - Grants (contingency)	ECON DEV	200,000				200,000
Lake Lillinonah Park Improvements	P & R	500,000				500,000
Library Renovations / replacements / upgrades	LIB	570,000	570,000			
Hawley - Ventilation and HVAC (part 3 of 3)	BOE	4,000,000	4,000,000			
High School - HVAC Equipment Replacements	BOE	850,000	850,000			
Middle School - HVAC Design	BOE	450,000	450,000			
Head O'Meadow - Replace Condensing Units	BOE	750,000	750,000			
TOTALS	>>>>>>>	14,768,000	10,733,000	-	3,050,000	985,000
2024 - 2025 (YEAR THREE)			Proposed Funding			
	Dept.	Amount Requested	Bonding	Grants	General Fund	Other
Capital Road Program	PW	3,100,000			3,100,000	
Town Match - Grants (contingency)	ECON DEV	200,000				200,000
Truck Washing Station	PW	50,000				50,000
TOTALS	>>>>>>>	3,350,000		-	3,100,000	250,000
2025 - 2026 (YEAR FOUR)			Proposed Funding			
	Dept.	Amount Requested	Bonding	Grants	General Fund	Other
Capital Road Program	PW	3,150,000			3,150,000	
Bridge Replacement Program	PW	400,000	400,000			
Truck Washing Station	PW	550,000	550,000			
PW Site & Salt Storage Improvements	PW	50,000				50,000
Replacement of Fire Apparatus	FIRE	800,000	800,000			
Building Remediation & Demo / Infrastructure	FHA	2,000,000	2,000,000			
Town Match - Grants (contingency)	ECON DEV	200,000				200,000
Edmond Town Hall Building Renovations	ETH	550,000	550,000			
Treadwell Artificial Turf & Lighting	P & R	800,000	250,000			550,000
Rail Trail - Batchelder Park	P & R	1,400,000		1,400,000		
Middle School - HVAC Construction	BOE	8,000,000	8,000,000			
TOTALS	>>>>>>>	17,900,000	12,550,000	1,400,000	3,150,000	800,000
2026 - 2027 (YEAR FIVE)			Proposed Funding			
	Dept.	Amount Requested	Bonding	Grants	General Fund	Other
Capital Road Program	PW	3,200,000			3,200,000	
Bridge Replacement Program	PW	400,000	400,000			
PW Site & Salt Storage Improvements	PW	600,000	600,000			
Transfer Station Improvements	PW	400,000	400,000			
Replacement of Fire Apparatus	FIRE	820,000	820,000			
Building Remediation & Demo / Infrastructure	FHA	2,000,000	2,000,000			
Town Match - Grants (contingency)	ECON DEV	200,000				200,000
Fairfield Hills Water Infrastructure	WSA	750,000				750,000
High School - HVAC Equipment Replacements	BOE	400,000	400,000			
Middle Gate - Window Replacement	BOE	1,100,000	1,100,000			
Middle Gate - Bathrooms Renovations	BOE	200,000	200,000			
High School - Replace F-Wing Chiller	BOE	500,000	500,000			
High School - Roof Replacement - BUR areas	BOE	450,000	450,000			
TOTALS	>>>>>>>	11,020,000	6,870,000	-	3,200,000	950,000
Appropriated						
GRAND TOTALS		60,972,500	38,487,500	1,400,000	15,250,000	5,835,000

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$781,000 FOR THE CONSTRUCTION, MAINTENANCE AND RENOVATION OF THE NEWTOWN HIGH SCHOOL STADIUM TURF PRACTICE FIELD AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2022-23 TO 2026-27) AND AUTHORIZING THE ISSUANCE OF \$781,000 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

RESOLVED:

Section 1. The sum of \$781,000 is a special appropriation made pursuant to Chapter 6, Section 6-35 of the Town Charter of the Town of Newtown (the "Town") for the construction, maintenance and renovation of the Newtown High School stadium turf practice field, all as authorized in the Capital Improvement Plan (2022-23 to 2026-27), and for administrative, financing, legal and costs of issuance related thereto (collectively, the "Project"), said appropriation to be inclusive of any and all State, Federal or other grants-in-aid thereof.

Section 2. To meet said appropriation, \$781,000 bonds of the Town, or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the maximum maturity permitted by the General Statutes of Connecticut, Revision of 1958, as amended from time to time (the "Connecticut General Statutes"). The bonds may be issued in one or more series as determined by the Financial Director, and the amount of bonds of each series to be issued shall be fixed by the Financial Director, in the amount necessary to meet the Town's share of the cost of the Project determined after considering the estimated amount of State and Federal or other grants-in-aid of the Project, or the actual amount thereof if this be ascertainable, and the anticipated times of the receipt of the proceeds thereof, provided that the total amount of bonds to be issued shall not be less than an amount which will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of the bonds outstanding at the time of the issuance thereof, and to pay for the costs of issuance of such bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in fully registered form, be executed in the name and on behalf of the Town by the facsimile or manual signatures of the First Selectman and the Financial Director, bear the Town seal or a facsimile thereof, be certified by a bank or trust company, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company, and be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, Connecticut. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of the bonds of each series to be issued, the annual installments of principal, redemption provisions, if any, certifying, registrar and transfer agent and paying agent, the date, time of issue and sale and other terms, details and particulars of such bonds, including the approval of the rate or rates of interest shall be determined by the First Selectman and the Financial Director, in accordance with the Connecticut General Statutes.

Section 3. Said bonds shall be sold by the First Selectman and the Financial Director in a competitive offering and the bonds shall be sold at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. To the extent required by the Charter of the Town of Newtown, bids shall be solicited from at least three lending institutions. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to

financial news and the subject of state and municipal bonds.

Section 4. The First Selectman and the Financial Director are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be signed by the First Selectman and the Financial Director, have the seal of the Town affixed, be payable at a bank or trust company designated by the First Selectman, be approved as to their legality by Robinson & Cole LLP, Attorneys-at-Law, of Hartford, Connecticut, and be certified by a bank or trust company designated by the First Selectman pursuant to Section 7-373 of the Connecticut General Statutes. The notes shall be issued with maturity dates which comply with the provisions of the Connecticut General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of the bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. The First Selectman or his designee is hereby authorized, in the name and on behalf of the Town, to apply for and accept any and all Federal and State loans and/or any grants-in-aid of the Project and is further authorized to expend said funds in accordance with the terms hereof and in connection therewith, to contract in the name of the Town with engineers, contractors and others.

Section 6. The Town hereby expresses its official intent pursuant to Section 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and any time after the date of passage of this resolution in the maximum amount and for the Project with the proceeds of bonds or bond anticipation notes or other obligations ("Tax-Exempt Obligations") authorized to be issued by the Town. The Tax-Exempt Obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Financial Director or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of Tax-Exempt Obligations, and to amend this declaration.

Section 7. The First Selectman and the Financial Director are hereby authorized, in the name and on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to the Municipal Securities Rulemaking Board (the "MSRB") and to provide notices to the MSRB of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution. Any agreements or representations to provide information to the MSRB made prior hereto are hereby confirmed, ratified and approved.

Section 8. The First Selectman is hereby authorized, in the name and on behalf of the Town, to enter into any other agreements, instruments, documents and certificates, including tax and investment agreements, for the consummation of the transactions contemplated by this resolution.

Section 9. This resolution shall become effective upon its approval by the Legislative Council of the Town in accordance with Chapter 6, Section 6-35 of the Town Charter.

Excerpt for Minutes of Board of Selectmen Meeting
held April 4, 2022

A meeting of the Board of Selectmen of the Town of Newtown was held in the Council Chamber of the Newtown Municipal Center on Monday, April 4, 2022, at 7:30 P.M. (E.T.).

* * *

Members present and absent were as follows:

Present
Daniel C. Rosenthal
Maureen Crick Owen
Edwin Schierloh

Absent

Selectman Crick Owen moved that a Referendum be held between the hours of 6:00 A.M. and 8:00 P.M. (E.T.), the warning and notice thereof in the form set forth below, for the purpose of a vote by the electors and qualified voters of the Town for the approval or disapproval of the following questions:

1. Shall the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$850,000 For The Planning, Design, Engineering And Installation Of Ventilation Systems And HVAC Renovations At Newtown High School As Authorized In The Capital Improvement Plan (2022-23 To 2026-27) And Authorizing The Issuance Of \$850,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose" be approved?
2. Shall the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$600,000 For The Planning, Design, Renovation Of, And Construction Of Improvements To, Edmond Town Hall Parking Lot As Authorized In The Capital Improvement Plan (2022-23 To 2026-27) And Authorizing The Issuance Of \$600,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose" be approved?

* * *

TOWN OF NEWTOWN
NOTICE OF REFERENDUM

Pursuant to Chapter 90 of the General Statutes of Connecticut, Revision of 1958, as amended (the "General Statutes"), and Section 6-35(g) of the Charter of the Town of Newtown (the "Town"), notice is hereby given to the electors and persons qualified to vote in the Town that a Referendum will be held at the Newtown Middle School, 11 Queen Street on Tuesday, April 26, 2022, between the hours of 6:00 A.M. and 8:00 P.M. (E.T.) for the purpose of voting on the following questions:

1. Shall the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$850,000 For The Planning, Design, Engineering And Installation Of Ventilation Systems And HVAC Renovations At Newtown High School As Authorized In The Capital Improvement Plan (2022-23 To 2026-27) And Authorizing The Issuance Of \$850,000 Bonds

Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose” be approved?

The form of the ballot label on the voting machine shall read as follows:

“Shall the \$850,000 special appropriation and \$850,000 bond authorization for the Newtown High School – Ventilation Systems And HVAC Renovations be approved?”

YES ____

NO ____

2. Shall the resolution entitled “Resolution Providing For A Special Appropriation In The Amount Of \$600,000 For The Planning, Design, Renovation Of, And Construction Of Improvements To, Edmond Town Hall Parking Lot As Authorized In The Capital Improvement Plan (2022-23 To 2026-27) And Authorizing The Issuance Of \$600,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose” be approved?

The form of the ballot label on the voting machine shall read as follows:

“Shall the \$600,000 appropriation and \$600,000 bond authorization for the Edmond Town Hall parking lot improvements be approved?”

YES ____

NO ____

The vote will be by voting machine. Those in favor of the resolution referred to in the question shall fill in the oval under the word "YES" under such question. Those not in favor of the resolution referred to in the question shall fill in the oval under the word "NO" under such question. Absentee ballots will be available at the office of the Town Clerk as provided by law.

Electors of the Town and qualified voters are entitled to vote. A qualified voter is any citizen of the United States of the age of 18 years or more who, jointly or severally, is liable to the Town for taxes assessed against him or her of not less than \$1,000 on the last completed grand list of the Town, or who would be so liable if not entitled to an exemption under subdivision (17), (19), (22), (25) or (26) of Section 12-81 of the General Statutes.

The polls will be open during the hours between 6:00 A.M. until 8:00 P.M. (E.T.). Electors and qualified voters entitled to vote as aforesaid will cast their votes at the Newtown Middle School, 11 Queen Street, Newtown

Said vote is being held pursuant to Section 6-35 (g) of the Town Charter and Chapter 90 of the General Statutes.

The full text of the proposed resolutions are on file open to public inspection at the office of the Town Clerk.

Dated at Newtown, Connecticut, this ____ day of _____, 2022.

Town Clerk

Published in _____
on _____, 2022.

Received for Record
this _____ day of
_____, 2022.

Town Clerk

Selectman Schierloh seconded said motion. Upon roll call vote the ayes and nays were as follows:

AYES
Daniel C. Rosenthal
Maureen Crick Owen
Edwin Schierloh

NAYS

First Selectman Rosenthal thereupon declared the motion carried and the resolution adopted.

* * *