

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

The Board of Selectmen held a regular meeting Monday, June 20, 2022. The meeting was held in the Council Chambers at the Newtown Municipal Center. First Selectman Rosenthal called the meeting to order at 7:30 p.m. and opened the meeting with a salute to the flag.

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

ALSO PRESENT: Finance Director Robert Tait and 0 member(s) of the public.

VOTER COMMENTS: None

ACCEPTANCE OF THE MINUTES: Selectman Crick Owen moved to accept the regular meeting minutes of June 6, 2022. Selectman Schierloh seconded. All in favor.

COMMUNICATIONS: First Selectman Rosenthal thanked Selectman Crick Owen and Selectman Schierloh for coming to last week's joint meeting with the LC and BOF to discuss the historic credits for Fairfield Hills. He felt the discussion was good and will take it up again at a BOS meeting in July. He reminded the Selectmen of the invitation from NUSAR to attend a mock dispatch on Sunday June 26th at 9:00 a.m. at their facility on Riverside Road.

FINANCE DIRECTORS REPORT: Mr. Tait shared a list of capital projects that are currently on the books (*att.*). These projects range in age from about five years old to newer ones that are in the beginning stages. He noted a typo on the sheet with #13 "NH&L Fire Apparatus" should actually be listed as "Hawleyville Fire Tanker". For #14 "Fire Apparatus 22-23" refers to the Sandy Hook Volunteer Fire Department.

NEW BUSINESS

Discussion and possible action:

1. Resolution: Selectman Crick Owen moved the RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$400,000 FOR THE BRIDGE REPLACEMENT PROGRAM AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2022-23 TO 2026-27) AND AUTHORIZING THE ISSUANCE OF \$400,000 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. Selectman Schierloh seconded. All in favor. (*Att.*)

2. Resolution: Selectman Crick Owen moved the RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$424,500 FOR THE PLANNING, DESIGN, ENGINEERING, CONSTRUCTION AND REPLACEMENT OF TWO EXISTING BOILERS AT HEAD O'MEADOW ELEMENTARY SCHOOL AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2022-23 TO 2026-27) AND AUTHORIZING THE ISSUANCE OF

\$424,500 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. Selectman Schierloh seconded. All in favor. (*Att.*)

3. Appointments/Reappointments/Vacancies/Openings: First Selectman Rosenthal stated that prior Tree Warden Mike McCarthy resigned a while back. Anthony Capozziello is in the process of taking classes to train for this position which will take up to one year to complete. It is a stipend position which will be done outside of his regular work hours. He proposes the he be appointed for a length of one year to start. He would like to make a change to his term - instead of having the position start on July 1st, he would like it to start effective today June 20, 2022 and continue through June 20, 2023. The other re-appointments will go as presented. Selectman Crick Owen moved the appointment of Anthony Capozziello as the Town Tree Warden effective starting today for a term to expire June 20, 2023 and the other re-appointments as presented: Steven Schoen (R) to the C.H. Booth Library Board of Trustees for a term to expire July 1, 2026 and Brook Clark (U) to the Fairfield Hills Authority for a term to expire July 31, 2025. Selectman Schierloh seconded. All in favor.

4. Driveway Bond Release/Extension: Selectman Crick Owen moved to extend the driveway bond for Prestigious Homes, LLC, 2 Maranello Drive, M33, B5, L18.1 for one month to July 22, 2022. Selectman Schierloh seconded. All in favor. Selectman Crick Owen moved to release the following driveway bonds, each for \$1,000: GRC Construction, 13 Old Hawleyville Road, M5, B5, L9; GRC Construction, LLC, 24 Old Hawleyville Road, M2, B9, L9 and Corbo Associates, Inc. 5 Nicolina Way, M12, B2, L39.9. Selectman Schierloh seconded. All in favor.

5. Tax Refunds: Selectman Crick Owen moved the tax refunds #21, 2021/22 in the amount of \$38,630.62. 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 7:53 p.m.

Att: List of Capital Projects, Resolutions and proceedings relative to the Bridge Replacement Project and Boiler Replacement at HOM School, letter from First Selectman to BOS, letter from BOS to LC

Respectfully submitted,
Rina Quijano, clerk pro tem

155 - CAPITAL PROJECTS					
	<u>PROJECT</u>	<u>BUDGET</u>	<u>REV / EXP</u>	<u>OPEN PO's</u>	<u>BALANCE</u>
1	NHS STADIUM TURF				
	<i>Revenues</i>				
	BOND PROCEEDS	765,000	765,000	-	-
	<i>Expenditures</i>				
	CAPITAL OUTLAY	765,000	726,019	38,000	981
2	SANDY HOOK MEMORIAL				
	<i>Revenues</i>				
	OTHER STATE GRANTS	2,500,000	-	-	2,500,000
	BOND PROCEEDS	1,450,000	700,000	-	750,000
	<i>Expenditures</i>				
	CAPITAL OUTLAY	3,950,000	2,861,119	1,026,436	62,445
3	HAWLEY HVAC				
	<i>Revenues</i>				
	OTHER FEDERAL GRANTS	2,500,000	-	-	2,500,000
	BOND PROCEEDS	5,500,000	-	-	5,500,000
	<i>Expenditures</i>				
	CAPITAL OUTLAY	8,000,000	-	-	8,000,000
4	HIGH SCHOOL VENT & HVAC				
	<i>Revenues</i>				
	BOND PROCEEDS	850,000	-	-	850,000
	<i>Expenditures</i>				
	CAPITAL OUTLAY	850,000	-	824,894	25,106
5	BOILER/LED LIGHTING REED				
	<i>Revenues</i>				
	BOND PROCEEDS	1,539,894	705,000	-	834,894
	<i>Expenditures</i>				
	CAPITAL OUTLAY	1,539,894	688,180	-	851,714
6	HS FOOTBALL FIELD RECONST				
	<i>Revenues</i>				
	MISC REVENUE	221,000	195,000	-	26,000
	BOND PROCEEDS	460,000	-	-	460,000
	TRANSFER IN	100,000	100,000	-	-
	<i>Expenditures</i>				
	CAPITAL OUTLAY	781,000	-	718,713	62,288
7	EMERG RADIO SYSTEM				
	<i>Revenues</i>				
	BOND PROCEEDS	7,541,933	7,200,000	-	341,933
	<i>Expenditures</i>				
	CAPITAL OUTLAY	7,541,933	2,321,107	3,430,345	1,790,481

	<u>PROJECT</u>	<u>BUDGET</u>	<u>REV / EXP</u>	<u>OPEN PO's</u>	<u>BALANCE</u>
8	GLEN RD CLEAN UP				
	<i>Revenues</i>				
	BOND PROCEEDS	850,000	-	-	850,000
	<i>Expenditures</i>				
	CAPITAL OUTLAY	850,000	-	-	850,000
9	TODDY HILL ROAD				
	<i>Revenues</i>				
	OTHER STATE GRANTS	2,596,000	1,860,712	-	735,288
	<i>Expenditures</i>				
	CAPITAL OUTLAY	2,596,000	1,860,712	-	735,288
10	ETH EXT IMPROVEMENTS				
	<i>Revenues</i>				
	BOND PROCEEDS	268,000	268,000	-	-
	<i>Expenditures</i>				
	CAPITAL OUTLAY	268,000	239	267,761	-
11	BRIDGE PROGRAM				
	<i>Revenues</i>				
	BOND PROCEEDS	1,765,000	1,429,000	-	336,000
	<i>Expenditures</i>				
	CAPITAL OUTLAY	1,765,000	972,652	750,269	42,079
12	TOWN ROAD PROGRAM				
	<i>Revenues</i>				
	BOND PROCEEDS	500,000	500,000	-	-
	<i>Expenditures</i>				
	CAPITAL OUTLAY	500,000	500,000	-	-
13	NH&L FIRE APPARATUS				
	<i>Revenues</i>				
	BOND PROCEEDS	575,000	560,000	-	15,000
	<i>Expenditures</i>				
	CAPITAL OUTLAY	575,000	557,354	-	17,646
14	FIRE APPARATUS 22 23				
	<i>Revenues</i>				
	BOND PROCEEDS	500,000	-	-	500,000
	<i>Expenditures</i>				
	CAPITAL OUTLAY	500,000	-	-	500,000
15	SOUTH MAIN SIDEWALK				
	<i>Revenues</i>				
	OTHER STATE GRANTS	940,480	107,199	-	833,281
	BOND PROCEEDS	150,000	150,000	-	-
	TRANSFER IN	85,120	41,175	-	43,945
	<i>Expenditures</i>				
	CAPITAL OUTLAY	1,175,600	1,131,654	-	43,946

	<u>PROJECT</u>	<u>BUDGET</u>	<u>REV / EXP</u>	<u>OPEN PO's</u>	<u>BALANCE</u>
16	LIBRARY IMPR 2018				
	<i>Revenues</i>				
	BOND PROCEEDS	273,000	273,000	-	-
	<i>Expenditures</i>				
	CAPITAL OUTLAY	273,000	214,889	-	58,111
17	ETH PARKING IMPR				
	<i>Revenues</i>				
	BOND PROCEEDS	600,000	-	-	600,000
	<i>Expenditures</i>				
	CAPITAL OUTLAY	600,000	-	-	600,000
18	LIBRARY IMPR 2019				
	<i>Revenues</i>				
	BOND PROCEEDS	300,000	300,000	-	-
	<i>Expenditures</i>				
	CAPITAL OUTLAY	300,000	56,782	-	243,218
19	LIBRARY IMPR 2022				
	<i>Revenues</i>				
	BOND PROCEEDS	200,000	-	-	200,000
	<i>Expenditures</i>				
	CAPITAL OUTLAY	200,000	-	-	200,000

Newtown Municipal Center
3 Primrose St., Newtown, CT 06470
Tel. 203-270-4201
Fax 203-270-4205



Daniel C. Rosenthal
First Selectman
Tel. 203-270-4202
dan.rosenthal@newtown-ct.gov

TOWN OF NEWTOWN
OFFICE OF THE FIRST SELECTMAN

May 16, 2022

Board of Selectmen
3 Primrose Street
Newtown, CT 06470

Dear Board of Selectmen:

I am requesting a special appropriation in the amount of \$400,000 be financed by bonds for the following project as authorized in the capital improvement plan (CIP) 2022-2023 to 2026-2027.

- A special appropriation in the amount of \$400,000 for the bridge replacement program.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "DCR", is written over the word "Sincerely,".

Daniel C. Rosenthal
First Selectman

DCR/sm

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$400,000 FOR THE BRIDGE REPLACEMENT PROGRAM AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2022-23 TO 2026-27) AND AUTHORIZING THE ISSUANCE OF \$400,000 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 \$400,000 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 planning, design, engineering, construction and replacement of bridges in the Town, pursuant to the Town’s Bridge Replacement Program, 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, \$400,000 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 of 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 June 20, 2022

A meeting of the Board of Selectmen of the Town of Newtown was held in the Council Chamber, Newtown Municipal Center, 3 Primrose Street, Newtown, on June 20, 2022, at 7:30 P.M. (E.T.).

* * *

Members present and absent were as follows:

<u>Present</u>	<u>Absent</u>
Daniel C. Rosenthal	
Maureen Crick Owen (remotely)	
Edwin Schierloh	

* * *

Selectman Crick Owen introduced and read the following resolution:

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$400,000 FOR THE BRIDGE REPLACEMENT PROGRAM AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2022-23 TO 2026-27) AND AUTHORIZING THE ISSUANCE OF \$400,000 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 \$400,000 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 planning, design, engineering, construction and replacement of bridges in the Town, pursuant to the Town's Bridge Replacement Program, 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, \$400,000 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 of 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.

RESOLVED: That the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$400,000 For The Bridge Replacement Program As Authorized In The Capital Improvement Plan (2022-23 To 2026-27) And Authorizing The Issuance Of \$400,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", a copy of which is attached hereto, is hereby adopted and recommended to the Legislative Council for consideration and action, said special appropriation was initiated by the First Selectman in a letter dated June 16, 2022, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter.

Selectman Crick Owen moved that said resolution be adopted as introduced and read and the motion was seconded by Selectman Schierloh. 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.

Newtown Municipal Center
3 Primrose St., Newtown, CT 06470
Tel. 203-270-4201
Fax 203-270-4205



Daniel C. Rosenthal
First Selectman
Tel. 203-270-4202
dan.rosenthal@newtown-ct.gov

TOWN OF NEWTOWN

OFFICE OF THE FIRST SELECTMAN

May 16, 2022

Board of Selectmen
3 Primrose Street
Newtown, CT 06470

Dear Board of Selectmen:

I am requesting a special appropriation in the amount of \$424,500 be financed by bonds for the following project as authorized in the capital improvement plan (CIP) 2022-2023 to 2026-2027.

- A special appropriation in the amount of \$424,500 for the planning, design, engineering, construction and replacement of two existing boilers at Head O' Meadow Elementary School.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'DCR', is written over the printed name of Daniel C. Rosenthal.

Daniel C. Rosenthal
First Selectman

DCR/sm

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$424,500 FOR THE PLANNING, DESIGN, ENGINEERING, CONSTRUCTION AND REPLACEMENT OF TWO EXISTING BOILERS AT HEAD O'MEADOW ELEMENTARY SCHOOL AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2022-23 TO 2026-27) AND AUTHORIZING THE ISSUANCE OF \$424,500 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 \$424,500 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 planning, design, engineering, construction and replacement of two existing boilers at Head O'Meadow Elementary School, including, but not limited to, the replacement of four heating pumps, variable frequency drives, piping modifications, and flue modifications, all as authorized in the Capital Improvement Plan (2022-23 to 2026-27) and for architectural and engineer's fees, 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, \$424,500 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 \$5,000 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, 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, the 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, 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 of 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 June 20, 2022

A meeting of the Board of Selectmen of the Town of Newtown was held in the Council Chamber, Newtown Municipal Center, 3 Primrose Street, Newtown, on June 20, 2022, at 7:30 P.M. (E.T.).

Members present and absent were as follows:

<u>Present</u>	<u>Absent</u>
Daniel C. Rosenthal	
Maureen Crick Owen (remotely)	
Edwin Schierloh	

Selectman Crick Owen introduced and read the following resolution:

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$424,500 FOR THE PLANNING, DESIGN, ENGINEERING, CONSTRUCTION AND REPLACEMENT OF TWO EXISTING BOILERS AT HEAD O'MEADOW ELEMENTARY SCHOOL AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2022-23 TO 2026-27) AND AUTHORIZING THE ISSUANCE OF \$424,500 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 \$424,500 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 planning, design, engineering, construction and replacement of two existing boilers at Head O'Meadow Elementary School, including, but not limited to, the replacement of four heating pumps, variable frequency drives, piping modifications, and flue modifications, all as authorized in the Capital Improvement Plan (2022-23 to 2026-27) and for architectural and engineer's fees, 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, \$424,500 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 \$5,000 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, 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, the 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, 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 of 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.

RESOLVED: That the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$424,500 For The Planning, Design, Engineering, Construction And Replacement Of Two Existing Boilers At Head O'Meadow Elementary School As Authorized In The Capital Improvement Plan (2022-23 To 2026-27) And Authorizing The Issuance Of \$424,500 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", a copy of which is attached hereto, is hereby adopted and recommended to the Legislative Council for consideration and action, said special appropriation was initiated by the First Selectman in a letter dated June 16, 2022, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter.

Selectman Crick Owen moved that said resolution be adopted as introduced and read and the motion was seconded by Selectman Schierloh. 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.

* * *

Newtown Municipal Center
3 Primrose St., Newtown, CT 06470
Tel. 203-270-4201
Fax 203-270-4205



Daniel C. Rosenthal
First Selectman
Tel. 203-270-4202
dan.rosenthal@newtown-ct.gov

TOWN OF NEWTOWN

OFFICE OF THE FIRST SELECTMAN

June 21, 2022

To the Legislative Council

Members of the Council:

At a meeting of the Board of Selectmen held June 20, 2022, the following resolutions were adopted:

RESOLVED: That the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$400,000 For The Bridge Replacement Program As Authorized In The Capital Improvement Plan (2022-23 To 2026-27) And Authorizing The Issuance Of \$400,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", and "Resolution Providing For A Special Appropriation In The Amount Of \$424,500 For The Planning, Design, Engineering, Construction And Replacement Of Two Existing Boilers At Head O'Meadow Elementary School As Authorized In The Capital Improvement Plan (2022-23 To 2026-27) And Authorizing The Issuance Of \$424,500 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose", copies of which are attached hereto, are hereby adopted and recommended to the Legislative Council for consideration and action, said special appropriation was initiated by the First Selectman in a letter dated June 16, 2022, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter.

The Board of Selectmen hereby requests that the Legislative Council solicits the recommendation of the Board of Finance on the above-captioned resolutions.

Very truly yours,

A handwritten signature in black ink, appearing to read "D. Rosenthal", is written over a horizontal line. Below the line, the name and title are printed.

Daniel C. Rosenthal
Board of Selectmen