

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

The Board of Selectmen held a regular meeting Monday, July 17, 2023. 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 salute to the flag.

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

**ALSO PRESENT:** Finance Director Robert Tait, Director of Public Works Fred Hurley and one members of the public.

**VOTER COMMENTS:** none.

**ACCEPTANCE OF THE MINUTES:** Selectman Crick Owen moved to accept the regular meeting minutes of June 19, 2023. Selectman Schierloh seconded. All in favor.

**COMMUNICATIONS:** Relative to the Hawley School HVAC project, the switchgear has arrived. They are waiting on permanent power. All should be good to go for the start of school.

**FINANCE DIRECTORS REPORT:** Mr. Tait is in the process of closing out FY 2022-23. Revenues and expenditures still look as forecasted, +\$175,000 revenues, \$300,000-\$500,000 expenditures. Invoices are still being processed. He is still waiting for the 2022-23 pension reports. Financial statement preparation will begin once the books are closed, mid-August. Departments are working on the 2024-25 CIP; this will be presented to the BOS on Sept. 18<sup>th</sup>.

**NEW BUSINESS**

**Discussion and possible action:**

1. **2023-2024 Road Work Plan:** Aquarion contributed money for road repair following water line work in the Alpine area. Drainage work has continued the Alpine area. There will be substantial drainage work related to old sewer projects, followed by paving. Toddy Hill Road and Botsford Hill Road are being paved now. Mr. Hurley is communicating with the contractor relative to the yellow line striping as well as the center line rumble strip. If funding remains when a project is finished additional roads will be added. Chip seal will be considered for areas of large roads.
2. **Resolution:** First Selectman Rosenthal noted this appropriation is for a small tanker for Sandy Hook Fire. Selectman Crick Owen moved the resolution: RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$600,000 FOR THE ACQUISITION AND REPLACEMENT OF FIRE APPARATUS AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2023-24 TO 2027-28) 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 and further moved to waive the reading of the entire resolution. (att.). Selectman Schierloh seconded. All in favor.
3. **Resolution:** Selectman Crick Owen moved the resolution: RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$600,000 FOR THE BRIDGE REPLACEMENT PROGRAM AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2023-24 TO 2027-28) 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 and further moved to waive the reading of the entire resolution (att.). Selectman Schierloh seconded. All in favor.

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*Daniel Rosenthal*  
NEWTOWN TOWN CLERK

4. **Resolution:** Selectman Crick Owen moved the resolution: RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$200,000 FOR THE PLANNING, DESIGN, ENGINEERING AND INSTALLATION OF HVAC SYSTEM REPLACEMENTS AT THE MULTI-PURPOSE BUILDING AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2023-24 to 2027-28) AND AUTHORIZING THE ISSUANCE OF \$200,000 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE and further moved to waive the reading of the entire resolution (att.). Selectman Schierloh seconded. All in favor.
5. **Appropriation:** Selectman Crick Owen moved the resolution providing for an appropriation of \$60,000 for the preparation and completion of an update of the Newtown Plan of Conservation and Development (POCD) to be funded from the capital & non –recurring fund (att.). Selectman Schierloh seconded. All in favor.
6. **Grant Acceptance:** First Selectman Rosenthal explained the Town will match \$120,000. Mr. Hurley believes the town can do the in kind work to cover the towns responsibility. Selectman Crick Owen moved the resolution authorizing the First Selectman to enter into and execute any and all agreements, contracts and documents necessary to obtain a 2022 Community Project Funding grant in the amount of \$480,000 through the Subcommittee on Interior, Environment, and Related Agencies – Environmental Protection Agency State and Tribal Grants, should the town be selected for a grant award and further authorized the Town to match \$120,000 in kind or monetarily. (att.). Selectman Schierloh seconded. All in favor.
7. **Amendment to Agreement:** First Selectman said the price will not increase over two years. The additional funds were approved at a previous meeting; this is the amendment to the agreement. Selectman Crick Owen moved to authorize the First Selectman to sign the letter of agreement dated July 13, 2023 between the Town of Newtown, the Newtown Volunteer Ambulance Association and Western Connecticut Health Network Affiliates, Inc.(att.). Selectman Schierloh seconded. All in favor.
8. **Appointments/Reappointments/Vacancies/Openings:** Selectman Crick Owen moved the appointment of Barney Malloy to the Bike & Trail Committee and moved to move Don Lococo to a full board member of the Hattertown Historic District for a term to expire June30, 2028 and the re-appointment of Michael Holmes to the Fairfield Hills Authority for a term to expire July 31, 2026. Selectman Schierloh seconded. All in favor.
9. **Driveway Bond Release/Extension:** none.
10. **Tax Refunds:** Selectman Crick Owen moved the July 17, 2023 tax refunds in the amount of \$4,913.86. Selectman Schierloh seconded. All in favor.

**VOTER COMMENTS:** Barney Malloy, 35 Tunnel Road thanked the Board of Selectmen for appointing him to the Bike & Trial Committee saying the committee plans to reconfigure public engagement. They are working with Reverie to arrange community outreach so people are aware there is a committee and public input and participation is needed. He also expressed gratitude in hearing Tunnel Road will be paved.

**ANNOUNCEMENTS:** none.

**ADJOURNMENT:** Having no further business the regular Board of Selectmen meeting was adjourned at 8:05p.m.

*Attachments: letter to BOS re: Resolutions; Resolution: Fire Apparatus; Resolution: Bridge Replacement; Resolution: Multi-purpose building HVAC; BOS excerpts; POCD Appropriation; \$480,000 Grant Acceptance; Amendment to agreement between TON, NVAA, WCHNA.*

Respectfully submitted,  
Susan Marcinek

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**

July 17, 2023

Board of Selectmen  
3 Primrose Street  
Newtown, CT 06470

Dear Board of Selectmen:

I am requesting the following appropriations be financed by bonds for the following project as authorized in the capital improvement plan (CIP) 2023-2024 to 2027-2028:

- A special appropriation in the amount of \$600,000 for the acquisition and replacement of fire apparatus.
- A special appropriation in the amount of \$600,000 for the bridge replacement program
- A special appropriation in the amount of \$200,000 for the planning, design, engineering and installation of the HVAC system replacements at the multi-purpose building.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Rosenthal", is written over the word "Sincerely," and extends below the name "Daniel C. Rosenthal".

Daniel C. Rosenthal  
First Selectman

DCR/sm

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$600,000 FOR THE ACQUISITION AND REPLACEMENT OF FIRE APPARATUS AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2023-24 TO 2027-28) 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

RESOLVED:

Section 1. The sum of \$600,000 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 acquisition and replacement of fire apparatus, including, but not limited to a fire tanker truck, as authorized in the Capital Improvement Plan (2023-24 to 2027-28) 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, \$600,000 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 any and all State, 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.

# Capital Improvement Plan

## Town of Newtown, Connecticut

'23/'24 thru '27/'28

Department Fire  
 Contact Pat Reilly, Chairman, Board of  
 Type Equipment Purchases  
 Useful Life 20  
 Category Vehicles

Project # Fire - 1  
 Project Name Replacement of Fire Apparatus

### Description

Scheduled replacement:

2023-24: Replacement of Sandy Hook tanker which will be 25 years old (\$600,000) & refurbishment of Newtown Hook & Ladder ladder truck which will be 23 years old (\$485,000).  
 2025-26: Replace Hawleyville engine truck which will be 25 years old (\$800,000).  
 2026-27: Replace Sandy Hook engine truck which will be 24 years old (\$820,000).  
 2027-28: Replace Botsford engine truck which will be 25 years old (\$840,000).

### Justification

Scheduled replacement of existing fire apparatus due to their age. They will have reached their useful life and have become too costly to repair.

Expenditures	'23/'24	'24/'25	'25/'26	'26/'27	'27/'28	Total
Equip/Vehicles/Furnishings	1,085,000		825,000	845,000	865,000	3,620,000
<b>Total</b>	<b>1,085,000</b>		<b>825,000</b>	<b>845,000</b>	<b>865,000</b>	<b>3,620,000</b>
Funding Sources	'23/'24	'24/'25	'25/'26	'26/'27	'27/'28	Total
Bonding	600,000		825,000	845,000	865,000	3,135,000
Other	485,000					485,000
<b>Total</b>	<b>1,085,000</b>		<b>825,000</b>	<b>845,000</b>	<b>865,000</b>	<b>3,620,000</b>

### Budget Impact/Other

There is no measurable operating budget impact relating to this project. Equipment maintenance expenditures will decrease for the Fire Commission. This will help keep down the annual budget requests of the Fire Commission.  
 Average annual debt service for \$850,000 = \$61,000.

**TOWN OF NEWTOWN  
FINANCIAL IMPACT STATEMENT  
(Per Town Charter 6-35(b), 6-40 & 7-25)**

REQUESTING DEPARTMENT BOARD OF FIRE COMMISSIONERS

PROJECT: FIRE APPARATUS

PROPOSED APPROPRIATION AMOUNT: \$ 600,000

**PROPOSED FUNDING:**

BONDING	\$	600,000
GRANT	\$	-
LOCAL MATCH	\$	-
OTHER	\$	-
CONTINGENCY	\$	-
IN KIND	\$	-
	\$	<u>600,000</u>

**ANNUAL FINANCIAL IMPACT ON OPERATING BUDGET (GENERAL FUND):**

List any financial impact your request will have on the Town's annual operating budget.  
Attach spreadsheet(s) showing your calculation of the estimated impact.

EXPENDITURE CATEGORY:	**FOR BRACKETS USE NEGATIVE SIGN BEFORE NUMBER**	(POSITIVE IMPACT) / NEGATIVE IMPACT	Attachment #
SALARIES & BENEFITS			
PROFESSIONAL SERVICES			
CONTRACTED SERVICES			
REPAIRS & MAINTENANCE			
UTILITIES			
OTHER			
DEBT SERVICE (average)		\$ 42,000	
TOTAL IMPACT ON EXPENDITURES		\$ <u>42,000</u>	

REVENUE CATEGORY:	POSITIVE IMPACT / (NEGATIVE IMPACT)	Attachment #
PROPERTY TAXES		
CHARGES FOR SERVICES (FEES)		
OTHER		
TOTAL IMPACT ON REVENUES	\$ <u>-</u>	

TOTAL FINANCIAL IMPACT ON OPERATING BUDGET \$ 42,000

**EQUIVALENT MILL RATE OF TOTAL IMPACT**

(using current year's information)

0.0093 mills

**COMMENTS:**

Impact on general fund is minimal. An average increase in annual debt service of \$42,000 which was carefully planned in the CIP process and savings in repairs and maintenance line item.

PREPARED BY: 

DATE: 7/14/2023



RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$600,000 FOR THE BRIDGE REPLACEMENT PROGRAM AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2023-24 TO 2027-28) 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

RESOLVED:

Section 1. The sum of \$600,000 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 (2023-24 to 2027-28), 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, \$600,000 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 any and all State, 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.



4 TURKEY HILL ROAD  
NEWTOWN, CONNECTICUT 06470  
FAX (203) 426-9968

## TOWN OF NEWTOWN

FREDERICK W. HURLEY, JR  
PUBLIC WORKS DIRECTOR  
(203) 270-43

PUBLIC WORKS DEPARTMENT

### CIP Bridge Program 2024 – 2029

As of 2022, Meadowbrook Bridge was under construction with expected completion date for the end of that year. Brushy Hill Bridge is under design and not expected to be funded for construction until 2023-2024. After these two (2) bridges are completed, there will be nine (9) bridges left in the Town inventory requiring design and replacement. At its overall completion, virtually every bridge in the Town inventory will be less than fifty (50) years old and in “Good” or “Fair” condition. By way of reference, a brand new bridge is listed as in “Good” condition. Other than the two (2) bridges noted above, the remaining bridges to be addressed in subsequent years are as follows:

Old Hawleyville #2	Huntingtown #2
Pond Brook #2	Farrell Road
Bennetts Bridge	Head O’Meadow
Echo Valley	Borough Lane
Jacklin Road	

When available, the Town will seek outside funding to assist. However, many of these bridges do not qualify, for various reasons, for available funding programs. In addition, aside from the known cost increases for labor and material, the introduction of additional involvement by the Army Corps of Engineers and enhanced review by the State of Connecticut has added design requirements which is adding further project costs. For many years, we put \$400,000 annually into the bridge program which was an adequate funding level to normally construct one (1) bridge and design a second.

The Meadowbrook Bridge, currently under construction, was originally projected, with engineering, to cost approximately \$600,000. The construction cost alone came in at \$1,065,393, plus engineering costs. Because of this real world experience we recommend funding the Bridge Program at \$600,000 annually.

**Capital Improvement Plan**  
**Town of Newtown, Connecticut**

**'23/'24 thru '27/'28**

Department Public Works  
 Contact FRED HURLEY, DIRECTOR  
 Type Road Improvements  
 Useful Life 50  
 Category Infrastructure

Project # PW - 2  
 Project Name Bridge Replacement Program

**Description**  
 Bridge replacement program.  
 Planned annual amounts, once approved, will be placed in the capital projects fund in the bridge replacement line item. Bridges will be replaced one by one.

**Justification**  
 Public safety

Expenditures	'23/'24	'24/'25	'25/'26	'26/'27	'27/'28	Total	Future
Construction/Maintenance	600,000		600,000	600,000	600,000	2,400,000	1,800,000
<b>Total</b>	<b>600,000</b>		<b>600,000</b>	<b>600,000</b>	<b>600,000</b>	<b>2,400,000</b>	<b>Total</b>
Funding Sources	'23/'24	'24/'25	'25/'26	'26/'27	'27/'28	Total	Future
Bonding	600,000		600,000	600,000	600,000	2,400,000	1,800,000
<b>Total</b>	<b>600,000</b>		<b>600,000</b>	<b>600,000</b>	<b>600,000</b>	<b>2,400,000</b>	<b>Total</b>

**Budget Impact/Other**  
 The budget impact of replacing a bridge (at the right time) is that we avoid large maintenance costs.  
 Average annual debt service cost on \$600,000 = \$43,000.

**TOWN OF NEWTOWN  
FINANCIAL IMPACT STATEMENT  
(Per Town Charter 6-35(b), 6-40 & 7-25)**

REQUESTING DEPARTMENT PUBLIC WORKS

PROJECT: BRIDGE REPLACEMENT PROGRAM

PROPOSED APPROPRIATION AMOUNT: \$ 600,000

**PROPOSED FUNDING:**

BONDING	\$	600,000
GRANT	\$	-
LOCAL MATCH	\$	-
OTHER	\$	-
CONTINGENCY	\$	-
IN KIND	\$	-
	\$	<u>600,000</u>

**ANNUAL FINANCIAL IMPACT ON OPERATING BUDGET (GENERAL FUND):**

List any financial impact your request will have on the Town's annual operating budget.  
Attach spreadsheet(s) showing your calculation of the estimated impact.

EXPENDITURE CATEGORY:	**FOR BRACKETS USE NEGATIVE SIGN BEFORE NUMBER**	(POSITIVE IMPACT) / NEGATIVE IMPACT	Attachment #
SALARIES & BENEFITS			
PROFESSIONAL SERVICES			
CONTRACTED SERVICES			
REPAIRS & MAINTENANCE			
UTILITIES			
OTHER			
DEBT SERVICE (average)		\$ 42,000	
TOTAL IMPACT ON EXPENDITURES		\$ <u>42,000</u>	

REVENUE CATEGORY:	POSITIVE IMPACT / (NEGATIVE IMPACT)	Attachment #
PROPERTY TAXES		
CHARGES FOR SERVICES (FEES)		
OTHER		
TOTAL IMPACT ON REVENUES	\$ <u>-</u>	

TOTAL FINANCIAL IMPACT ON OPERATING BUDGET \$ 42,000

**EQUIVALENT MILL RATE OF TOTAL IMPACT**

(using current year's information)

0.0093 mills

**COMMENTS:**

Impact on general fund is minimal. An average increase in annual debt service of \$42,000 which was carefully planned in the CIP process and savings in repairs and maintenance line item.

PREPARED BY: 

DATE: 7/14/2023

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$200,000 FOR THE PLANNING, DESIGN, ENGINEERING AND INSTALLATION OF HVAC SYSTEM REPLACEMENTS AT THE MULTI-PURPOSE BUILDING AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2023-24 to 2027-28) AND AUTHORIZING THE ISSUANCE OF \$200,000 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 \$200,000 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 and installation of HVAC system replacements at the Multi-Purpose Building, as authorized in the Capital Improvement Plan (2023-24 to 2027-28), and for administrative, financing, legal and costs of issuance related thereto (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, \$200,000 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 any and all State, 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, 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, on behalf of the Town, to apply for and accept any and all State, Federal or other 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, 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, 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.

**Capital Improvement Plan**  
**Town of Newtown, Connecticut**

**'23/'24 thru '27/'28**

Department Public Works  
 Contact FRED HURLEY, DIRECTOR  
 Type Building construction/renovati  
 Useful Life 25  
 Category Buildings

Project # PW - 3  
 Project Name Multi-Purpose Building Mechanical/Ventilation/AC

**Description**

This facility was constructed in 1978, with several additions but no general overhaul and updating. A full evaluation will be conducted on all connected systems. A construction bid package for ventilation and connected systems specifically addressing the primary AC unit will be prepared.

**Justification**

There have been frequent ventilation and AC system failures. This project updates and corrects these failures.

Expenditures	'23/'24	'24/'25	'25/'26	'26/'27	'27/'28	Total
Planning/Design	22,000					22,000
Construction/Maintenance	178,000					178,000
<b>Total</b>	<b>200,000</b>					<b>200,000</b>

  

Funding Sources	'23/'24	'24/'25	'25/'26	'26/'27	'27/'28	Total
Bonding	200,000					200,000
<b>Total</b>	<b>200,000</b>					<b>200,000</b>

**Budget Impact/Other**

Less maintenance costs  
 Average annual debt service cost = \$14,400.



**TOWN OF NEWTOWN  
FINANCIAL IMPACT STATEMENT  
(Per Town Charter 6-35(b), 6-40 & 7-25)**

REQUESTING DEPARTMENT PUBLIC WORKS

PROJECT: MULTI-PURPOSE BUILDING - HVAC EQUIPMENT REPLACEMENTS

PROPOSED APPROPRIATION AMOUNT: \$ 200,000

PROPOSED FUNDING:

BONDING	\$	200,000
GRANT	\$	-
LOCAL MATCH	\$	-
OTHER	\$	-
CONTINGENCY	\$	-
IN KIND	\$	-
	\$	<u>200,000</u>

**ANNUAL FINANCIAL IMPACT ON OPERATING BUDGET (GENERAL FUND):**

List any financial impact your request will have on the Town's annual operating budget.  
Attach spreadsheet(s) showing your calculation of the estimated impact.

EXPENDITURE CATEGORY:	**FOR BRACKETS USE NEGATIVE SIGN BEFORE NUMBER**	(POSITIVE IMPACT) / NEGATIVE IMPACT	Attachment #
SALARIES & BENEFITS			
PROFESSIONAL SERVICES			
CONTRACTED SERVICES			
REPAIRS & MAINTENANCE			
UTILITIES			
OTHER			
DEBT SERVICE (average)	\$	14,000	
TOTAL IMPACT ON EXPENDITURES	\$	<u>14,000</u>	

REVENUE CATEGORY:	POSITIVE IMPACT / (NEGATIVE IMPACT)	Attachment #
PROPERTY TAXES		
CHARGES FOR SERVICES (FEES)		
OTHER		
TOTAL IMPACT ON REVENUES	\$	<u>-</u>

TOTAL FINANCIAL IMPACT ON OPERATING BUDGET \$ 14,000

**EQUIVALENT MILL RATE OF TOTAL IMPACT**

(using current year's information)

0.0031 mills

**COMMENTS:**

Impact on general fund is minimal. An average increase in annual debt service of \$14,000 which was carefully planned in the CIP process and savings in repairs and maintenance line item.

PREPARED BY:



DATE: 7/14/2023

Excerpt for Minutes of Board of Selectmen Meeting  
to be held July 17, 2023 2023

A meeting of the Board of Selectmen of the Town of Newtown was held in the Council Chamber of the Newtown Municipal Center, 3 Primrose Street, Newtown, on July 17, 2023, 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 introduced and read the following resolution:

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$600,000 FOR THE ACQUISITION AND REPLACEMENT OF FIRE APPARATUS AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2023-24 TO 2027-28) 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

RESOLVED:

Section 1. The sum of \$600,000 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 acquisition and replacement of fire apparatus, including, but not limited to a fire tanker truck, as authorized in the Capital Improvement Plan (2023-24 to 2027-28) 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, \$600,000 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 any and all State, 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.

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RESOLVED: That the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$600,000 For The Acquisition And Replacement Of Fire Apparatus As Authorized In The Capital Improvement Plan (2023-24 To 2027-28) 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", 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 July 17, 2023, 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.

\* \* \*

Selectman Crick Owen introduced and read the following resolution:

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN  
RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN  
THE AMOUNT OF \$600,000 FOR THE BRIDGE REPLACEMENT  
PROGRAM AS AUTHORIZED IN THE CAPITAL IMPROVEMENT  
PLAN (2023-24 TO 2027-28) 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

RESOLVED:

Section 1. The sum of \$600,000 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 (2023-24 to 2027-28), 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, \$600,000 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 any and all State, 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 \$600,000 For The Bridge Replacement Program As Authorized In The Capital Improvement Plan (2023-24 To 2027-28) 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", 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 July 17, 2023, 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.

\*\*\*

Selectman Crick Owen introduced and read the following resolution:

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$200,000 FOR THE PLANNING, DESIGN, ENGINEERING AND INSTALLATION OF HVAC SYSTEM REPLACEMENTS AT THE MULTI-PURPOSE BUILDING AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2023-24 to 2027-28) AND AUTHORIZING THE ISSUANCE OF \$200,000 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 \$200,000 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 and installation of HVAC system replacements at the Multi-Purpose Building, as authorized in the Capital Improvement Plan (2023-24 to 2027-28), and for administrative, financing, legal and costs of issuance related thereto (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, \$200,000 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 any and all State, 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, 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, on behalf of the Town, to apply for and accept any and all State, Federal or other 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, 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, 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 \$200,000 For The Planning, Design, Engineering And Installation Of HVAC System Replacements At The Multi-Purpose Building As Authorized In The Capital Improvement Plan (2023-24 To 2027-28) And Authorizing The Issuance Of \$200,000 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 July 17, 2023, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter.

First Selectman Rosenthal 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.

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**Resolution providing for an appropriation of \$60,000 for the preparation and completion of an update of the Newtown Plan of Conservation and Development (POCD) to be funded from the capital & non-recurring fund.**

**INFORMATION:**

The Town of Newtown sought proposals and a generalized scope of services from qualified professional planning consultants/firms for the preparation and completion of an update of the Newtown Plan of Conservation and Development (POCD) including all requisite associated documents, presentations, plans and maps.

**Resolution:**

"The Town of Newtown identifies First Selectman Daniel C. Rosenthal, and states that said official is authorized to enter into and execute any and all agreements, contracts and documents necessary to obtain a 2022 Community Project Funding grant in the amount of \$480,000 through the Subcommittee on Interior, Environment, and Related Agencies - Environmental Protection Agency State and Tribal Grants, should the town be selected for a grant award."

**Information:**

**Grant Name:** Community Project Funding grant (2022)

*Note:* In 2021 the town submitted a formal request to Congresswoman Hayes for **Community Project Funding** grant funds under the Subcommittee on Interior, Environment, and Related Agencies – Environmental Protection Agency State and Tribal Grants for certain water infrastructure projects. The town of Newtown received approval from Congresswoman Hayes' office and the EPA to continue with the application process in 2022.

**Project Name:** Permeable Parking Area Construction at Fairfield Hills

**Project Description:** Design and installation of a permeable parking area, along with recommended plantings and barriers.

**Project Location:** 56 Keating Farms Ave. , vacant property at the corner of Trades Ln and Keating Farms Ave. Former location of Woodbury Hall.

**TOWN OF NEWTOWN  
FINANCIAL IMPACT STATEMENT  
(Per Town Charter 6-35(b), 6-40 & 7-25)**

**REQUESTING DEPARTMENT** ECONOMIC & COMMUNITY DEVELOPMENT

**PROJECT:** COMMUNITY PROJECT FUNDING GRANT - PERMEABLE PARKING AREA CONSTRUCTION AT FAIRFIELD HILLS

**PROPOSED APPROPRIATION AMOUNT:** \$ 600,000

**PROPOSED FUNDING:**

BONDING	\$	-
GRANT	\$	480,000
LOCAL MATCH	\$	120,000
OTHER	\$	-
CONTINGENCY	\$	-
IN KIND	\$	-
	\$	<u>600,000</u>

**ANNUAL FINANCIAL IMPACT ON OPERATING BUDGET (GENERAL FUND):**

List any financial impact your request will have on the Town's annual operating budget.  
Attach spreadsheet(s) showing your calculation of the estimated impact.

<b>EXPENDITURE CATEGORY:</b>	<b>**FOR BRACKETS USE NEGATIVE SIGN BEFORE NUMBER**</b>	<b>(POSITIVE IMPACT) / NEGATIVE IMPACT</b>	<b>Attachment #</b>
SALARIES & BENEFITS			
PROFESSIONAL SERVICES			
CONTRACTED SERVICES			
REPAIRS & MAINTENANCE			
UTILITIES			
OTHER			
DEBT SERVICE (average)		\$ -	
<b>TOTAL IMPACT ON EXPENDITURES</b>		\$ -	

<b>REVENUE CATEGORY:</b>	<b>POSITIVE IMPACT / (NEGATIVE IMPACT)</b>	<b>Attachment #</b>
PROPERTY TAXES		
CHARGES FOR SERVICES (FEES)		
OTHER		
<b>TOTAL IMPACT ON REVENUES</b>	\$ -	

**TOTAL FINANCIAL IMPACT ON OPERATING BUDGET** \$ -

**EQUIVALENT MILL RATE OF TOTAL IMPACT**

(using current year's information)

0.0000 mills

**COMMENTS:**

Impact on general fund (budget) is minimal. In the future there will be some maintenance costs relating to the permeable parking area and plantings.

Local match of \$120,000 will comprise of some inkind amount and the difference covered by other funds.

**Project Description:** Design and installation of a permeable parking area, along with recommended plantings and barriers.

**Project Location:** 56 Keating Farms Ave., vacant property at the corner of Trades Ln and Keating Farms Ave. Former location of Woodbury Hall.

An appropriation resolution will be submitted once the grant is awarded.

**PREPARED BY:**



**DATE:** 7/10/2023

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**

July 13, 2023

Western Connecticut Health Network Affiliates, Inc.  
24 Hospital Avenue  
Danbury, CT 06810

Attn.: Matthew Cassavechia, Director, Emergency Medical Services

Dear Mr. Cassavechia,

The Town of Newtown (the "Town"), Newtown Volunteer Ambulance Association, Inc. (NVAA, Inc.) and Western Connecticut Health Network Affiliates, Inc. ("WCHNA") entered into an Agreement as of July 1, 2020 (the "Agreement").

The Town, NVAA, Inc. and WCHNA mutually agree to amend the first sentence of Article 17 as follows:

"As of July 1, 2024, either Party shall have the right to terminate this Agreement at any time without cause and without financial or other liability to the other. Termination hereunder shall be effective if written notice thereof is given to the other party thereto not less than one hundred eighty (180) days prior to the effective date of said termination."

In addition, The Parties shall pay WCHNA the sum of **\$600,000.00** for the period from July 1, 2023 through June 30, 2024 and **\$600,000.00** for the period from July 1, 2024 through June 30, 2025.

\_\_\_\_\_  
Name: Daniel C. Rosenthal  
Title: First Selectman  
Town of Newtown

\_\_\_\_\_  
Michelle Robertson  
Chief Operating Officer  
Nuvance Health

\_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Newtown Volunteer Ambulance Association, Inc.