

**LEGISLATIVE COUNCIL REGULAR MEETING  
COUNCIL CHAMBERS, 3 PRIMROSE STREET, NEWTOWN, CT  
WEDNESDAY, JULY 6, 2022**

**MINUTES**

**PRESENT:** Jeffrey Capeci, Charles Gardner, Chris Gardner, Dan Honan, Lisa Kessler (via teleconference), Ryan Knapp, Michelle Embree Ku, Tom Long, Matthew Mihalcik

**ABSENT:** Phil Carroll, Angela Curi, William DeRosa

**ALSO PRESENT:** First Selectman Dan Rosenthal, Finance Director Bob Tait, BOE Chair Deborra Zukowski, Superintendent Chris Melillo; 1 public, 0 press

**CALL TO ORDER:** Mr. Capeci called the meeting to order with the Pledge of Allegiance at 7:35 pm.

**VOTER COMMENT:** Deborra Zukowski of 4 Cornfield Ridge Road, introduced the new Superintendent of Newtown Public Schools, Chris Melillo. Mr. Melillo is looking forward to working with the LC and our community. First Selectman Rosenthal is excited to work with Mr. Melillo in the future.

**MINUTES:** Mr. Charles Gardner moved to accept the minutes of the June 15, 2022 Legislative Council Regular Meeting. Seconded by Mr. Mihalcik. Mr. Honan abstained. Motion passes (8-0).

**COMMUNICATIONS:** Mr. Capeci said some members of the LC, along with the First Selectman, attended the NUSAR presentation a couple of weeks ago which was very interesting and informative.

**COMMITTEE REPORTS:** Ordinance Committee – Mr. Knapp reported that they met last week. They spoke about tax abatement for veterans and sent their questions/comments out for legal review.

**FIRST SELECTMAN'S REPORT:** First Selectman Dan Rosenthal reported that road work is getting underway. Toddy Hill is currently getting done. The broader list of roads will be discussed at the next BOS meeting. Riverside Road from Sandy Hook Firehouse all the way to Lorenzo's Restaurant will be next. From a project standpoint, the Hawley project is beginning to get staged. The Sandy Hook Memorial is mostly finished. The formal dedication will be sometime in November. He thanked the LC for meeting tonight after a holiday weekend. Ms. Kessler asked for an update on the Parks and Rec/Community Center state grants. Mr. Rosenthal confirmed with the directors of Parks and Rec and the Community Center that the information gathered will only be generic demographic data.

**NEW BUSINESS**

*Discussion and Possible Action*

- 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

Mr. Charles Gardner 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 further moved to waive the reading of the full resolution. Seconded by Mr. Knapp. Motion passes (9-0).

- 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

Mr. Charles Gardner 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 further moved to waive the reading of the full resolution. Seconded by Mr. Mihalcik. Motion passes (9-0).

**VOTER COMMENT:** None

**ANNOUNCEMENTS:** None

**ADJOURNMENT:** There being no further business, Mr. Mihalcik moved to adjourn the meeting at 7:53 pm. Seconded by Mr. Chris Gardner. All in favor.

*Respectfully submitted,  
Rina Quijano, Clerk*

**THESE MINUTES ARE SUBJECT TO APPROVAL BY THE LEGISLATIVE COUNCIL AT THE NEXT MEETING. ANY EDITS WILL BE REFLECTED IN THE MINUTES OF THE NEXT MEETING.**

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,

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.

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,

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.





## 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.

Daniel C. Rosenthal  
Board of Selectmen

NEWTOWN MUNICIPAL CENTER  
3 PRIMROSE STREET  
NEWTOWN, CT 06470

[www.newtown-ct.gov](http://www.newtown-ct.gov)

*Robert Tait, Finance Director*



**TOWN OF NEWTOWN  
BOARD OF FINANCE**

John Madzula II, Esq, Chairman  
Chandravir Ahuja, Vice Chairman  
Laura Miller  
Steven Goodridge  
Erica Sullivan  
Geoffrey Dent

June 23, 2022


To the Legislative Council

Members of the Council:

At a meeting of the Board of Finance held June 23, 2022, the following resolution was approved and recommended for adoption:

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 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.

Very truly yours,

  
\_\_\_\_\_  
John Madzula II, Esq.  
Chairman  
Board of Finance

Item for Agenda of  
Meeting of Legislative Council

1. To consider and act upon the resolutions 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, said special appropriations were requested in a letter initiated by the First Selectman dated June 16, 2022, a copy of which is attached hereto, in accordance with Chapter 6, Section 6-35 of the Town Charter.

Excerpt for Minutes of Meeting  
of Legislative Council  
to be held July 6, 2022

A meeting of the Legislative Council of the Town of Newtown was held in the Council Chambers of the Municipal Center located at 3 Primrose Street, Newtown on July 6, 2022, at 7:30 P.M. (E.T.).

\* \* \*

Members present and absent were as follows:

Present

Jeffrey Capeci  
Charles Gardner  
Chris Gardner  
Dan Honan  
Lisa Kessler (via teleconference)  
Ryan Knapp  
Michelle Embree Ku  
Tom Long  
Matthew Mihalcik

Absent

Phil Carroll  
Angela Curi  
William DeRosa

\* \* \*

Councilperson Charles Gardner 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, 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.

Councilperson Charles Gardner moved that said resolution be adopted as introduced and read and the motion was seconded by Councilperson Ryan Knapp. Upon roll call vote the ayes and nays were as follows:

AYES

Jeffrey Capeci  
Charles Gardner  
Chris Gardner  
Dan Honan  
Lisa Kessler  
Ryan Knapp  
Michelle Embree Ku  
Tom Long  
Matthew Mihalcik

NAYS

Councilperson Jeffrey Capeci thereupon declared the motion carried and the resolution adopted.

\*\*\*

Councilperson Charles Gardner 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, 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.

Councilperson Charles Gardner moved that said resolution be adopted as introduced and read and the motion was seconded by Councilperson Matthew Mihalcik. Upon roll call vote the ayes and nays were as follows:

AYES

NAYS

Jeffrey Capeci  
Charles Gardner  
Chris Gardner  
Dan Honan  
Lisa Kessler  
Ryan Knapp  
Michelle Embree Ku  
Tom Long  
Matthew Mihalcik

Councilperson Jeffrey Capeci thereupon declared the motion carried and the resolution adopted.

\*\*\*