

Board of Selectmen
March 4, 2019

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

The Board of Selectmen held a regular meeting Monday, February 4, 2019, in the Council Chamber, Newtown Municipal Center, 3 Primrose Street, Newtown. First Selectman Rosenthal called the meeting to order at 7:30p.m.

PRESENT: First Selectman Daniel C. Rosenthal, Selectman Maureen Crick Owen and Selectman Jeff Capeci.

ALSO PRESENT: Finance Director Robert Tait, Chief Viadero, PBSC Chairman Bob Mitchell, Mike Burton, Town Attorney Jason Buchbaum and David Grogins (7:55pm).

VOTER COMMENTS: none.

ACCEPTANCE OF THE MINUTES: Selectman Crick Owen moved to accept the minutes of the regular meeting of 02/04/19. Selectman Capeci seconded. All in favor.

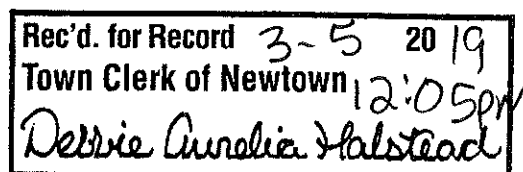
COMMUNICATIONS: First Selectman Rosenthal shared the winter storm breakdown as of 3/1/19 and spoke about an article relative to the state's recycling industry (att.). Of the eleven member towns of HRRRA, Newtown is the only town with curbside pick-up. Newtown will participate in a pilot program to pull glass out of single stream recycling. There are options to analyze.

FINANCE DIRECTORS REPORT: Mr. Tait reported there was a bond sale, \$10,400,000. The winning bidder was Raymond James and Associates; the true interest cost was 2.85%. The average coupon was 3%, giving us a small premium of \$149,000. The Board of Finance will be presenting the budget to the Legislative Council on March 6. The Legislative Council will hold a public hearing on March 20.

NEW BUSINESS

Discussion and possible action:

1. **Selection of Construction Manager – Police Department project:** First Selectman Rosenthal said that the Public Building & Site Commission formed a subcommittee to review eleven proposals; four were interviewed. Mr. Mitchell said each presentation was an hour long and after discussion, and a list of pro's and con's, the unanimous choice was Consigli. The team meshed well with the architect and PBSC, is the same team that worked on Sandy Hook School and their costs were at or below others. There were no disadvantages. Chief Viadero was very impressed when Consigli came out the site a number of times prior to their presentation. First Selectman Rosenthal said that there is already a working history between the architect and Consigli; the knowns far outweigh the unknowns. Selectman Crick Owen moved to authorize the First Selectman to enter into a contract with Consigli Construction Co. for construction management services for the new Police Department building to be located at 191 South Main Street and 61 Pecks Lane in Newtown, and pending the execution of said contract, to commence work on said building under a letter of intent for a period not to exceed 30 days. Selectman Capeci seconded. All in favor.
2. **Resolution to accept a portion of Lakeview Terrace as a public highway:** First Selectman Rosenthal noted that a motion made at a the Board of Selectman meeting a few years back was incorrect; Lakeview Terrace was referred to as Lakeview Drive therefore a new motion has to be made. Selectman Crick Owen moved the resolution Resolved, that the Town accept an approximate 600 foot portion of Lakeview Terrace as a public highway per Charter 2-115 (d)(7), per Town Clerk Map No. 8322 (att.). Selectman Capeci seconded. All in favor.



3. **8-24 Referral to Planning & Zoning relative to Referendum CIP projects:** Bond counsel stated that when substantially improving public facilities an 8-24 is required. There was a question as to whether these items are relative to substantial improvements. Mr. Mitchell stated boiler replacements in the schools does substantially improve the facility. Selectman Crick Owen moved the 8-24 referral to Planning & Zoning relative to the referendum CIP projects: Pickleball Courts, planning, design, engineering, construction and replacement of a boiler, and retrofit of lighting at Hawley School and at Newtown High School, and an appropriation planning, design, engineering and reconstruction of town roads. Selectman Capeci seconded. All in favor.
4. **Resolution:** First Selectman Rosenthal agreed to address this appropriation because the Legislative Council is sending it to referendum, therefore the public will have a chance to decide. The Legislative Council voted to move this item to year one of the CIP because an anonymous donation was promised if the project was moved up. If there is no donation the First Selectman will not authorize the project. Attorney Grogins said that First Selectman Rosenthal has that authority as the Chief Executive. Selectman Crick Owen move the resolution: RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$290,000 FOR THE PLANNING, DESIGN AND CONSTRUCTION OF FAIRFIELD HILLS PICKLEBALL COURTS AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2019-20 TO 2023-24) AND AUTHORIZING THE ISSUANCE OF \$290,000 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (att.) and waived the reading of the entire resolution. Selectman Capeci seconded. All in favor.
5. **Resolution:** Selectman Crick Owen moved the resolution: RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$2,702,000 FOR THE PLANNING, DESIGN, ENGINEERING, CONSTRUCTION AND REPLACEMENT OF THE BOILERS, AND RETROFIT OF LIGHTING AT NEWTOWN HIGH SCHOOL, AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2019-20 to 2023-24) AND AUTHORIZING THE ISSUANCE OF \$2,702,000 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (att.) and waived the reading of the entire resolution. Selectman Capeci seconded. All in favor.
6. **Resolution:** Selectman Crick Owen moved the resolution: RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$783,200 FOR THE PLANNING, DESIGN, ENGINEERING, CONSTRUCTION AND REPLACEMENT OF A BOILER, AND RETROFIT OF LIGHTING AT HAWLEY SCHOOL, AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2019-20 to 2023-24) AND AUTHORIZING THE ISSUANCE OF \$783,200 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (att.) and waived the reading of the entire resolution. Selectman Capeci seconded. All in favor.
7. **Resolution:** Selectman Crick Owen moved the resolution: Resolution: RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$1,000,000 FOR THE PLANNING, DESIGN, ENGINEERING, RECONSTRUCTION AND CONSTRUCTION OF TOWN ROADS AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2019-20 to 2023-24) AND AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OF THE TOWN TO MEET SAID SPECIAL APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE (att.) and waived the reading of the entire resolution Selectman Capeci seconded. All in favor.
8. **Appointments/Reappointments/Vacancies/Openings:** Selectman Crick Owen moved the appointment of Jeffrey Robinson (R) to the Economic Development Commission to fill a vacancy to expire 1/6/20 and to move Claire Theune (U) from an alternate member of the Commission on Aging to a full board

Board of Selectmen
March 4, 2019

member for a term to expire 1/6/21 and moved the appointment of Dan Cragin (R) to the Bike & Trail Committee to fill a vacancy with no term. Selectman Capeci seconded. All in favor.

9. Driveway Bond Release/Extension: Selectman Crick Owen moved the driveway bond release for Samaha, LLC, 66 Platts Hill Road, M31, B3, L31, in the amount of \$1,000.00. Selectman Capeci seconded. All in favor.

10. Tax Refunds: Selectman Crick Owen moved the March 4, 2018/19 Refund #13 in the amount of \$34,009.35. Selectman Capeci seconded. All in favor.

VOTER COMMENTS: none.

ANNOUNCEMENTS: none.

EXECUTIVE SESSION: Selectman Crick Owen moved to enter executive session to discuss a possible claim or litigation against the architect and construction manager for the community center/senior center and invited it Finance Director Robert Tait, and Town Attorneys, David Grogins and Jason Buchsbaum to attend. Selectman Capeci seconded. All in favor. Executive Session was entered into at 8:07p.m. and returned to regular session at 9:06p.m. with the following motion:

Selectman Crick Owen moved to authorize the First Selectman, pursuant to Section 2-115 (d)(3) of the Charter, and through the Town Attorney, to engage in dispute resolution provisions pursuant to the Architect and the Construction Manager contracts and to take all steps necessary to address the issues concerning the Community Center/Senior Center project. Selectman Capeci seconded. All in favor.

ADJOURNMENT: Having no further business the regular Board of Selectmen meeting adjourned at 9:07p.m.

Att: Winter Storm breakdown; Danbury News Times article; Acceptance of portion of Lakeview Terrace; Pickleball resolution; High School Boiler/Lighting resolution; Hawley School Boiler/Lighting resolution; Town Roads resolution;

Respectfully submitted,
Sue Marcinek, Clerk

WINTER STORM BREAKDOWN

2018-2019

Storm #	DATE	DAY	TIME IN	TIME OUT	TYPE OF	USED YDS	SAND PER YD	USED TONS	TREATED SALT COST	OVERTIME HOURS	COST	TOTAL COST OF STORM
1	1/15-1/16/2018	Thursday-Friday	3:30 PM	7:00 AM	STORM	212	\$18.50	257.24	\$71.34	455.75	\$20,048.49	\$42,321.99
2	1/18/2019	Tuesday	3:15 AM	7:00 AM	8" Snow and Ice	73.53	\$3,922.00	96.46	\$18,351.50	90.75	\$4,124.81	\$12,366.57
3	1/18/2019	Friday	2:00 AM	7:00 AM	Light Snow	98	\$1,360.31	116.68	\$6,881.46	96.75	\$4,386.00	\$14,522.95
4	1/19-1/20 and 1/21/2019	Saturday-Sunday and small crew Monday	7:30 AM and 7:00 AM	8:30 PM and 6:00 PM	Dusting/Sanding	330.22	\$1,813.00	411.86	\$8,323.95	617.75	\$27,928.70	\$63,419.86
5	1/30/19 and 1/31/2019	Wednesday and small crew Thursday	2:00 AM and 3:30 PM	7:00 AM and 7:00 PM	Ice Storm	306.74	\$6,109.07	454.9	\$29,382.09	266.75	\$12,100.64	\$50,227.90
6	2/12-2/13/2019	Tuesday -Wednesday	9:00 AM	7:00 AM	Icy Conditions	349.5	\$5,674.69	459.78	\$32,800.71	419.5	\$19,144.24	\$58,410.70
7	2/18/2019	Monday	1:00 AM	10:30 AM	Light Snow	170.75	\$6,465.75	208.55	\$14,877.96	191.75	\$11,554.94	\$29,591.77
8	2/20-2/21/2019	Wednesday-Thursday	2:00 PM	7:00 AM	1" Snow	221.5	\$3,158.88	261.37	\$18,646.14	448.25	\$20,332.78	\$43,076.67
9	2/28/2019	Thursday	1:00 AM	7:00 AM	Freezing Rain	123.25	\$2,280.13	152.51	\$10,880.06	111.25	\$5,052.09	\$18,212.28
10	3/1/2019	Friday	7:00 AM	9:00 AM	Light Snow	81.25	\$1,503.13	100.59	\$7,176.09	0	\$0.00	\$8,679.22
Sand for residents at the Transfer Station												
						1966.74	\$36,384.69	2519.94	\$179,772.52	2698.5	\$124,672.69	\$ 340,829.90
					TOTAL	YDS Sand	Cost of Sand	Tons Salt	Cost of Salt	OT Hrs	Cost of OT	Total cost of Storms

A new report about the collapse of the state's recycling industry supports the expansion of cans and bottles eligible for deposits.

A new report about the collapse of the state's recycling industry supports the expansion of cans and bottles eligible for deposits.

CT's recycling market collapses

The sudden collapse of the market for recyclables means that sidewalk collections are no longer making money for cities and towns, according to a new report from the Connecticut Conference of Municipalities that indicates the crisis is not going to end anytime soon.

For Fairfield First Selectman Michael Tetreau, a revenue stream of about \$25 a ton, will become a \$75-per-ton expense on July 1, with no ceiling in sight. "We don't know where that stops," he said Monday. "Some of it's a moving target. A month ago the numbers were different than they are today."

The CCM report, released Monday morning, calls for the development of in-state recycling facilities, along with new technologies, and even the development of new markets.

The organization of towns and cities called for a new tax on, or the outright elimination of, plastic straws and bags; an expansion of the list of glass and plastic deposit containers; better education of the public on recycling; and restrictions the availability of packing materials.

Related Stories

The cause of the market failure is China's recent refusal to accept recycled materials with half a percent or more contamination, such as oil-stained pizza boxes that should be put in the trash and not recycled. China has also embarked on its own recycling campaign.

"This change will result in significant cost increases for local governments and a potential higher tax bill for local property taxpayers," said Joe DeLong, CCM's executive director. "This also represents yet another example of emerging costs for towns that gives further testimony about the need for the state to provide other local revenue sources for towns other than the property tax. CCM is shedding light on these cost increases as towns prepare their budgets for next fiscal year and the state struggles with the level of state aid coming back to towns and cities beginning July 1."

"Everything's been flipped on its head," said Milford Mayor Ben Blake, noting that until last summer, Bridgeport-area communities were receiving about \$20 a ton for recyclables. But now, the cost is \$75 a ton for about 5,000 tons of glass, paper and plastic. It's actually costing his city more to recycle waste than collect trash for the mass-burn plant in Bridgeport.

"We need to identify a secondary market for recycling," Blake said in a phone interview. He said that some companies are able to use glass in mixes for concrete. In Florida, glass is used to nourish beaches. "We need to get the state behind innovative uses of recyclables and incentivize companies," Blake said.

"Recycling went from a positive to negative," said Bethel First Selectman Matt Knickerbocker. "The market is collapsing right before our very eyes."

From revenue to an expense

In one year:

Bridgeport: Shifting from \$129,5125 in profits to projected \$394,380 in expense.

Stamford: From \$95,000 in revenue to a \$700,000 expense.

Waterbury - Shifting from \$15,022 in revenues to \$330,000 in expenses.

Fairfield - Shifting from over a \$50,000 profit center to a \$525,561 cost center.

Milford - Shifting from \$85,000 in revenue to \$250,000 in costs.

Stratford -- Shifting from a \$64,000 profit center to a \$240,000 cost center.

Hamden -- Shifting from no net expense to a \$190,000 cost item.

Seymour - Shifting from \$12,000 in revenues to \$171,316 cost item

North Haven - Previously incurred no cost or revenue from recycling and now will have to pay \$70 per ton.

Plymouth -- Previously received \$9.05 per ton for recycles and now will have to pay \$70 a ton - that is an \$80,000 swing from a revenue item to and expense item.

Wilton -- Previously received \$20 per ton for recycles and now will have to pay \$65 a ton - that is an \$85 per ton swing from a revenue item to and expense item.

Naugatuck: -- Was being paid \$16 a ton for recycling, but now have to pay \$23 a ton.

*Source: Connecticut Conference of Municipalities

Tetreau said that in particular, there is no market at all for glass, as well as some other materials. He said that the state needs some kind of agency to look at the recycling laws and decide what can be done to offer more flexibility to towns and cities.

CCM pointed out that compared to this fiscal year, Bridgeport is projected to experience a half-million-dollar swing, from a net-revenue source to a more than \$394,000 cost.

Some towns and cities might end up banning certain items from the recyclable stream, such as glass. The CCM said that the state is too invested in recycling to stop it.

February 20, 2019

HERBERT L. COHEN
(1928-1983)

AUSTIN K. WOLF
RICHARD L. ALBRECHT
JONATHAN S. BOWMAN
NEIL R. MARCUS
G. KENNETH BERNHARD
DAVID L. GROGINS
GRETA E. SOLOMON
ROBIN A. KAHN
RICHARD SLAVIN
DANIEL S. NAGEL
RICHARD J. DI MARCO
DAVID B. ZABEL
MARK A. KIRSCH
DAVID M. LEVINE
JOSEPH G. WALSH
MATTHEW C. SUSMAN
DAVID A. BALL
JOCELYN B. HURWITZ
STUART M. KATZ
PATRICIA C. SULLIVAN
VINCENT M. MARINO
JULIE D. KOHLER
ARI J. HOFFMAN
COURTNEY A. GEORGE
BARBARA M. SCHELLENBERG
RACHEL A. PENCU
JASON A. BUCHSBAUM
L. JOYELLE MAINI
DAVID M. MOROSAN
ANN L. FOWLER-CRUZ
PHILIP C. PIRES
JOHN PATRICK C. O'BRIEN
DAVID DOBIN
ANNMARIE P. BRIONES
ROBYN H. DRUCKER
ALEXANDER COPP
JOSHUA PEDREIRA
CLIFFORD A. MERIN
MARC J. HERMAN
PAUL V. ARCE
TATIANA F. DASILVA
JORDAN E. SALA
JENNA T. CUTLER

OF COUNSEL
JANE B. EMONS
SUSAN F. FILAN
TIMOTHY M. HERBST
THEMIS KLARIDES
JOHN P. MARINI
MICHAEL S. ROSTEN
SUZANNE B. SUTTON
C. CHRISTIAN YOUNG

Hon. Daniel Rosenthal
First Selectman
Newtown Municipal Center
3 Primrose Street
Newtown, CT 06470

Re: Lakeview Terrace

Dear Dan:

On September 19, 2016, the Board of Selectmen unanimously adopted the following resolution:

"Resolved, that the Town accept an approximately 600 ft. portion of Lakeview Drive as a public highway per Charter 3-30(a)(6)".

Unfortunately, the portion of road which was intended to be accepted was "Lakeview Terrace", there being no town road known as "Lakeview Drive" in the Town of Newtown.

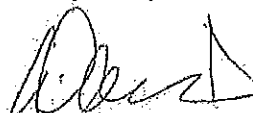
In the enclosed letter to the Town Clerk, the map therein inferred to is of Lakeview Terrace.

This was an error that no one picked up on.

It is my opinion that to correct this error the Selectmen need to adopt a new resolution as follows:

"Resolved, that the Town accept an approximately 600 ft. portion of Lakeview Terrace to be a public highway per Charter 2-115(d)(7), per Town Clerk Map No. 8322".

Very Truly Yours,



David L. Grogins

DLG/pld
Enclosures

cc: Rob Sibley
Paul A. Sobel, Esq.

Newtown Municipal Center
3 Primrose Street
Newtown, Connecticut 06470
Tel. (203) 270-4201
Fax (203) 270-4205
first.selectman@newtown-ct.gov
www.newtown-ct.gov



E. Patricia Llodra
First Selectman

TOWN OF NEWTOWN
OFFICE OF THE FIRST SELECTMAN

November 1, 2016

Ms. Debbie A. Halstead, Town Clerk
Newtown Municipal Center
3 Primrose Street
Newtown, CT 06470

Re: Road Acceptance, Portion of Lakeview Terrace

Dear Ms. Halstead:

At a meeting held on September 19, 2016 the Board of Selectmen took the following action:

"Selectman Rosenthal moved that the Town accept an approximate 600 foot portion of Lakeview Drive as a public highway per Charter 3-30 (a) (6)." The motion unanimously passed.

The accepted portion is that as shown as "Phase 1" between the approximate stations 0+00 to 6+25 on a map titled "Data Accumulation Plan Prepared for Town of Newtown Lakeview Terrace, Newtown, Connecticut" dated 10/21/16, prepared by Brautigam Land Surveyors, P.C. and filed with the Town Clerk on 10/31/16 (map #8322).

Sincerely,

A handwritten signature in cursive script, reading "E. Patricia Llodra".

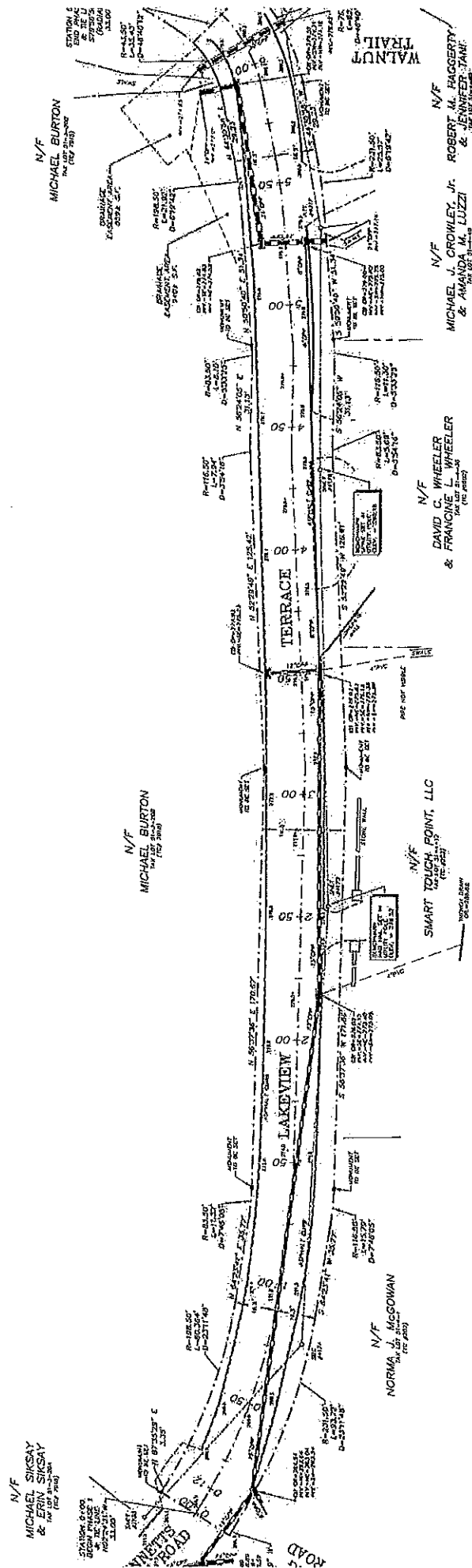
E. Patricia Llodra
First Selectman

I do hereby CERTIFY that the above is a true transcript of the minutes of the Board of Selectmen meeting held on September 19, 2016.

A handwritten signature in cursive script, reading "Susan Marcinek".


Susan Marcinek, Clerk

cc: Assessor, Town Engineer, Land Use, Building Dept., GIS, Public Works, Police Dept., Board of Fire Commissioners, Volunteer Ambulance Assoc., Dispatch Center, Postmaster



Received 10/31/2016
Tulsa State of Oklahoma @ 11:11
Debra Curdick, Husband

ORIGINAL FILED IN: NY 100-108110
 65-15874
 LAND SURVEYING PC


BRAUTIGAM LAND SURVEYORS, P.C.
60 South Main Street
Newtown, Connecticut 06452
Telephone (203) 572-7810
Facsimile (203) 572-1022
E-mail: survey@landsurveyors.com

10 1/2 HIGHLIGHT AND BUILT THE BODY AND WIP
AND ONE OF THE BODY AS NOTED HUTTON.

JOE No. 5010091-DT	SCALE 1" = 20'	DRAWN BY: JMB
FIELD NOTES 235-50	DATE 10/21/16	CHECKED BY: PAB

RIGHT OF WAY SURVEY
PREPARED FOR
TOWN OF NEWTOWN
LAKEVIEW TERRACE
NEWTOWN, CONNECTICUT

**SCHEDULE A
TOWN OF NEWTOWN
Bond Resolution Adoption Timeline**

Town Roads, Pickleball Courts, Boilers/Lighting at Two Schools - 2019

Request for Special or Emergency Appropriation <i>Section 6-35 (b) of Town Charter</i>	<p>A request may be initiated by (i) the First Selectman with the approval of the Board of Selectmen or (ii) by the Legislative Council</p> <p>The request shall include an estimate of the funds required, the reasons therefore, and a proposed method of financing</p> <p>The Finance Director shall prepare a Financial Impact Statement for requests for Special Appropriations</p>
Board of Selectmen Meeting <i>According to custom or practice.</i>	<p>Board of Selectmen meets to vote on the 8-24 referral to the Planning and Zoning Commission</p>
Planning and Zoning Commission ("P&Z") Meeting C.G.S. § 8-24	<p>P&Z meets to review and approve the proposals for projects described in the resolutions</p>
Board of Selectmen Meeting <i>According to custom or practice.</i> <i>Section 6-35(d) of Town Charter</i>	<p>Board of Selectmen meet to adopt bond resolutions</p> <p>Letter of Board of Selectman to Legislative Council to request recommendation of the Board of Finance</p> <p>Letter of Legislative Council to Board of Finance requesting recommendation of Board of Finance; recommendation to be provided within 90 days of request, however, additional 90 days may be granted</p>
Board of Finance Meeting <i>According to custom or practice</i> <i>Section 6-35(h) of Town Charter</i>	<p>Board of Finance meets to recommend to the Legislative Council adoption of the resolutions</p> <p>Letter of Board of Finance to Legislative Council with such recommendation</p>
Legislative Council Meeting <i>Sections 3-25(a), 6-20(e), 6-26(a) and 6-35(g) of Town Charter</i> <i>Section 6-35(e) of Town Charter:</i> <i>Legislative Council shall have the power to make Special and Emergency Appropriations not to exceed \$1,500,000 for any one purpose during a fiscal year. Said amount shall be cumulative during the fiscal year as to all appropriations related to said purpose. The total of Special and Emergency Appropriations made by the Legislative Council for all</i>	<p>Legislative Council meets to adopt resolutions, and recommends a town referendum</p> <p>Letter of Legislative Council to Board of Selectmen directing the Board to call the referendum</p> <p><i>If the amount exceeds the power of the Council, the council directs and authorizes the Board of Selectmen to call a referendum</i></p>

<i>purposes during a fiscal year shall not exceed an amount equal to one mil on the most recently completed Grand List.</i>	
Board of Selectmen Meeting <i>This meeting is needed only if the Legislative Council directs the Board of Selectmen to call a referendum</i>	Board of Selectmen meets to adopt a resolution that provides for the notice and warning of the referendum on April 23, 2019 <i>Notice of Referendum with questions are given to the electors and persons qualified to vote</i>
Publication of Notices <i>Sections 1-25(b), 3-25(g) and 6-25(a) of Town Charter</i>	Warning of Referendum shall be published at least (5) days prior to the Referendum (not including the date of Referendum, i.e. publication must be made on or before April 18, 2019).
Referendum – April 23, 2019	Referendum is held to adopt the Special Appropriations
Certification of Results	Town Clerk certifies results of Referendum

GLENN A. SANTORO

280 Trumbull Street
Hartford, CT 06103-3597
Main (860) 275-8200
Fax (860) 275-8299
gsantoro@rc.com
Direct (860) 275-8322

March 1, 2019

VIA E-MAIL AND REGULAR MAIL

Robert G. Tait
Financial Director
Town of Newtown
3 Primrose Street
Newtown, CT 06470

Re: Resolution Providing For A Special Appropriation In The Amount Of \$1,000,000 For The Planning, Design, Engineering, Reconstruction And Construction Of Town Roads As Authorized In The Capital Improvement Plan (2019-20 To 2023-24) And Authorizing The Issuance Of \$1,000,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose

Resolution Providing For A Special Appropriation In The Amount Of \$290,000 For The Planning, Design And Construction Of Fairfield Hills Pickleball Courts As Authorized In The Capital Improvement Plan (2019-20 To 2023-24) And Authorizing The Issuance Of \$290,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose

Resolution Providing For A Special Appropriation In The Amount Of \$783,200 For The Planning, Design, Engineering, Construction And Replacement Of A Boiler, And Retrofit Of Lighting At Hawley School, As Authorized In The Capital Improvement Plan (2019-20 To 2023-24) And Authorizing The Issuance Of \$783,200 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose

Resolution Providing For A Special Appropriation In The Amount Of \$2,702,000 For The Planning, Design, Engineering, Construction And Replacement Of The Boilers, And Retrofit Of Lighting At Newtown High School, As Authorized In The Capital Improvement Plan (2019-20 To 2023-2024) And Authorizing The Issuance Of \$2,702,000 Bonds Of The Town To Meet Said Special Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose

Dear Bob:

Enclosed please find the above-captioned resolutions and a set of proceedings to be followed in connection with their adoption by the Town. For your convenience, a bond resolution adoption timeline is

Robinson + Cole

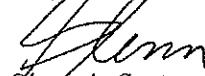
Robert G. Tait
March 1, 2019
Page 2

attached as Schedule A. Also, once the letter initiating the special appropriations has been signed by the First Selectman, the date needs to be inserted into the proceedings.

By copy of this letter, I am requesting the Town Clerk to send me one certified copy of all the proceedings as they appear in the Town record book.

If you have any questions, please do not hesitate to contact me.

Very truly yours,



Glenn A. Santoro

Enclosures

cc: Daniel Rosenthal, First Selectman
Debbie A. Halstead, Town Clerk
David L. Grogins, Esq., Town Attorney
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

March 04, 2019

Board of Selectmen
3 Primrose Street
Newtown, CT 06470

Dear Board of Selectmen:

I am requesting a total of four special appropriations totaling \$4,775,200 to be financed by bonds (offset by any other source of funding such as grants) for the following projects as authorized in the capital improvement plan (2019-20 to 2023-24):

A Special Appropriation In The Amount Of \$1,000,000 For The Planning, Design, Engineering, Reconstruction And Construction Of **Town Roads**.

A Special Appropriation In The Amount Of \$290,000 For The Planning, Design And Construction Of Fairfield Hills **Pickleball Courts**.

A Special Appropriation In The Amount Of \$783,200 For The Planning, Design, Engineering, Construction And Replacement Of A Boiler, And Retrofit Of Lighting **At Hawley School**.

A Special Appropriation In The Amount Of \$2,702,000 For The Planning, Design, Engineering, Construction And Replacement Of The Boilers, And Retrofit Of Lighting **At Newtown High School**.

If approved by the Board of Selectmen, Board of Finance & the Legislative Council these projects will go to referendum per Town Charter.

Please let me know if you have any questions.

Sincerely,

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

Daniel Rosenthal
First Selectman

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$290,000 FOR THE PLANNING, DESIGN AND CONSTRUCTION OF FAIRFIELD HILLS PICKLEBALL COURTS AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2019-20 TO 2023-24) AND AUTHORIZING THE ISSUANCE OF \$290,000 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 \$290,000 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 engineering, planning, design and construction of four (4) Fairfield Hills pickleball courts, including, but not limited to, construction of the courts with post tension concrete slabs, as authorized in the Capital Improvement Plan (2019-20 to 2023-24) 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, including, but not limited to, an expected \$25,000 private grant awarded to the Town.

Section 2. To meet said appropriation, \$290,000 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 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 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 anytime 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.

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

REQUESTING DEPARTMENT FIRST SELECTMAN

PROJECT: FAIRFIELD HILLS PICKLE BALL COURTS

PROPOSED APPROPRIATION AMOUNT: \$ 290,000

PROPOSED FUNDING:

BONDING	\$ 265,000
GRANT	\$ 25,000
OTHER	\$ -
	<u>\$ 290,000</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 BRACKET'S USE NEGATIVE SIGN BEFORE NUMBER**	(POSITIVE IMPACT) / NEGATIVE IMPACT	Attachment #
SALARIES & BENEFITS		***	
PROFESSIONAL SERVICES			
CONTRACTED SERVICES			
REPAIRS & MAINTENANCE		(a)	
UTILITIES			
OTHER			
DEBT SERVICE (1st year)		\$ 21,200	
TOTAL IMPACT ON EXPENDITURES		<u>\$ 21,200</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 \$ 21,200

EQUIVALENT MILL RATE OF TOTAL IMPACT

(using current year's information)

0.0069 mills

COMMENTS:

(a) REQUIRES ANNUAL MAINTENANCE REPRESENTING A SMALL INCREASE IN THE P & R BUDGET

PREPARED BY: R. A. T. A.

DATE: 3/4/2019

TO: BOF, LC

Excerpt for Minutes of Board of Selectmen Meeting
Held March 4, 2019

A meeting of the Board of Selectmen of the Town of Newtown was held in the Council Chamber of the Newtown Municipal Center on March 4, 2019, at 7:30P.M.

* * *

Members present and absent were as follows:

Present

Daniel C. Rosenthal
Maureen Crick Owen
Jeff Capeci

Absent

Selectman Crick Owen introduced and read the following resolution:

RESOLVED: That the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$290,000 For The Planning, Design And Construction Of Fairfield Hills Pickleball Courts As Authorized In The Capital Improvement Plan (2019-20 To 2023-24) And Authorizing The Issuance Of \$290,000 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, said special appropriation having been requested by the First Selectmen in a letter to the Board of Selectman dated March 4, 2019, 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 Capeci. Upon roll call vote the ayes and nays were as follows:

AYES

(List names)

NAYS

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

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION IN THE AMOUNT OF \$2,702,000 FOR THE PLANNING, DESIGN, ENGINEERING, CONSTRUCTION AND REPLACEMENT OF THE BOILERS, AND RETROFIT OF LIGHTING AT NEWTOWN HIGH SCHOOL, AS AUTHORIZED IN THE CAPITAL IMPROVEMENT PLAN (2019-20 to 2023-2024) AND AUTHORIZING THE ISSUANCE OF \$2,702,000 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 \$2,702,000 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 the boiler plant at Newtown High School, including, but not limited to, Part 1: complete demolition and abatement of the existing three boilers, abatement of the boiler room, and the installation of new high efficiency gas fired boilers, and Part 2: the complete retrofit of all existing lighting from fluorescent to LED, as authorized in the Capital Improvement Plan (2019-20 to 2023-2024) and for architect 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, including, but not limited to, an expected \$463,435 energy grant to be received from Eversource.

Section 2. To meet said appropriation, \$2,702,000 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 the State of Connecticut, 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 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, the date, time of issue and sale and other terms, details and particulars of such bonds including 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. They 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 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 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 anytime 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 Issuer 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.

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

REQUESTING DEPARTMENT FIRST SELECTMAN

PROJECT: HIGH SCHOOL BOILER REPLACEMENTS & LED LIGHTING

PROPOSED APPROPRIATION AMOUNT: \$ 2,702,000

PROPOSED FUNDING:	
BONDING	\$ 2,238,565
GRANT	\$ -
OTHER	\$ 463,435
	<u>\$ 2,702,000</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 (1st year)		\$ 179,300	
TOTAL IMPACT ON EXPENDITURES		<u>\$ 179,300</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 \$ 179,300

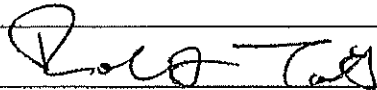
EQUIVALENT MILL RATE OF TOTAL IMPACT
(using current year's information)

0.0583 mills

COMMENTS:

SEE ATTACHED SAVINGS

PREPARED BY:



DATE: 3/4/2019

TO: BOF, LC

NEWTOWN PS

Newtown High School

July 2019 Program

Energy Conservation Measures	ECM Description	Installed Cost	Estimated Savings	Estimated Incentive	Net Cost	Payback
ECM-1	Lighting and Vending	\$1,444,000	\$94,545	\$283,635	\$1,160,325	12.3
ECM-2	BMS Controls Budget	\$80,000	\$10,600	\$11,800	\$68,200	6.4
ECM-3	New Heating,DHW,VFDs	\$840,000	\$53,690	\$168,000	\$672,000	12.5
CONSTRUCTION	SUB TOTALS	\$2,364,000	\$158,835	\$463,435	\$1,900,525	12.0
NEWTOWN	Hygenist	\$18,000				
NEWTOWN	Demo	\$75,000				
NEWTOWN	Contingency	\$245,000				

TOTAL \$2,702,000

Excerpt for Minutes of Board of Selectmen Meeting
Held March 4, 2019

A meeting of the Board of Selectmen of the Town of Newtown was held in the Council Chamber of the Newtown Municipal Center on March 4, 2019, at 7:30 P.M.

* * *

Members present and absent were as follows:

Present

Daniel C. Rosenthal
Maureen Crick Owen
Jeff Capeci

Absent

Selectman Crick Owen introduced and read the following resolution:

RESOLVED: That the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$2,702,000 For The Planning, Design, Engineering, Construction And Replacement Of The Boilers, And Retrofit Of Lighting At Newtown High School, As Authorized In The Capital Improvement Plan (2019-20 To 2023-2024) And Authorizing The Issuance Of \$2,702,000 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, said special appropriation having been requested by the First Selectmen in a letter to the Board of Selectman dated March 4, 2019, 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 Capeci. Upon roll call vote the ayes and nays were as follows:

AYES

Daniel C. Rosenthal
Maureen Crick Owen
Jeff Capeci

NAYS

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

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION
IN THE AMOUNT OF \$783,200 FOR THE PLANNING, DESIGN,
ENGINEERING, CONSTRUCTION AND REPLACEMENT OF A
BOILER, AND RETROFIT OF LIGHTING AT HAWLEY
SCHOOL, AS AUTHORIZED IN THE CAPITAL
IMPROVEMENT PLAN (2019-20 to 2023-24) AND
AUTHORIZING THE ISSUANCE OF \$783,200 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 \$783,200 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 the boiler plant located in the 1921 section of Hawley School, including but not limited to, Part 1: demolition, abatement and tank removal, and Part 2: the complete retrofit of all existing lighting from fluorescent to LED, high efficiency VFD's and automated controls, all as authorized in the Capital Improvement Plan (2019-20 to 2023-24) and for architect 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, including, but not limited to, an expected \$38,961 energy grant to be received from Eversource.

Section 2. To meet said appropriation, \$783,200 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 the State of Connecticut, 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 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, the date, time of issue and sale and other terms, details and particulars of such bonds including 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. They 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 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 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 anytime 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 Issuer 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.

Excerpt for Minutes of Board of Selectmen Meeting
Held March 4, 2019

A meeting of the Board of Selectmen of the Town of Newtown was held in the Council Chamber of the Newtown Municipal Center on March 4, 2019, at 7:30 P.M.

* * *

Members present and absent were as follows:

Present

Daniel C. Rosenthal
Maureen Crick Owen
Jeff Capeci

Absent

Selectman Crick Owen introduced and read the following resolution:

RESOLVED: That the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$783,200 For The Planning, Design, Engineering, Construction And Replacement Of A Boiler, And Retrofit Of Lighting At Hawley School, As Authorized In The Capital Improvement Plan (2019-20 To 2023-24) And Authorizing The Issuance Of \$783,200 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, said special appropriation having been requested by the First Selectmen in a letter to the Board of Selectman dated March 4, , 2019, 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 Capeci. Upon roll call vote the ayes and nays were as follows:

AYES

Daniel C. Rosenthal
Maureen Crick Owen
Jeff Capeci

NAYS

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

* * *

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

REQUESTING DEPARTMENT FIRST SELECTMAN

PROJECT: HAWLEY BOILER & LIGHTING REPLACEMENT

PROPOSED APPROPRIATION AMOUNT: \$ 783,200

PROPOSED FUNDING:

BONDING	\$	744,239
GRANT	\$	-
OTHER	\$	38,961
	\$	<u>783,200</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 (1st year)		\$ 59,600	
TOTAL IMPACT ON EXPENDITURES		\$ <u>59,600</u>	

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

TOTAL FINANCIAL IMPACT ON OPERATING BUDGET \$ 59,600

EQUIVALENT MILL RATE OF TOTAL IMPACT

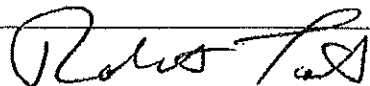
(using current year's information)

0.0194 mills

COMMENTS:

SEE ATTACHED SAVINGS

PREPARED BY:



DATE: 3/4/2019

TO: BOF, LC

NEWTOWN PS

Hawley School

July 2019 Program

Energy Conservation Measures	Description	Installed Cost	Estimated Savings	Estimated Incentive	Net Cost	Payback
ECM-1	Lighting and Vending	\$257,600	\$10,103	\$22,155	\$235,445	23.2
ECM-2	BMS Controls Budget	\$40,000	\$5,300	\$5,900	\$34,100	6.4
ECM-3	New Heating,DHW,VFDs	\$385,000	\$15,576	\$10,906	\$374,094	24.0
CONSTRUCTION	SUB TOTALS	\$682,600	\$30,979	\$38,961	\$643,639	20.8
NEWTOWN	Hygenist	\$10,000				
NEWTOWN	Demo	\$40,000				
NEWTOWN	Tank Removal	\$25,000				
NEWTOWN	Contingency	\$25,600				

TOTAL \$783,200

RESOLUTION PROVIDING FOR A SPECIAL APPROPRIATION
IN THE AMOUNT OF \$1,000,000 FOR THE PLANNING,
DESIGN, ENGINEERING, RECONSTRUCTION AND
CONSTRUCTION OF TOWN ROADS AS AUTHORIZED IN
THE CAPITAL IMPROVEMENT PLAN (2019-20 to 2023-24)
AND AUTHORIZING THE ISSUANCE OF \$1,000,000 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 \$1,000,000 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, reconstruction and construction of Town roads, including, but not limited to, pavement, curbs, drainage, grinding and overlay, micropaving, chipsealing and cracksealing, and other road improvements, all pursuant to the Capital Road Program as authorized in the Capital Improvement Plan (2019-20 to 2023-24) and for administrative, financing, legal and costs of issuance related thereto (collectively, the "Project"), said appropriation to be inclusive of any and all State and Federal grants-in-aid thereof.

Section 2. To meet said appropriation, \$1,000,000 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 the State 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 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, the date, time of issue and sale and other terms, details and particulars of such bonds including 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. They 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 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 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 anytime after the date of passage of this resolution in the maximum amount and for the Project with the proceeds of bonds or bond anticipation notes or other obligations ("Tax-Exempt Obligations") authorized to be issued by the Town. The Tax-Exempt Obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Regulations may authorize. The Town hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Financial Director or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of Tax-Exempt Obligations, and to amend this declaration.

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

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

Excerpt for Minutes of Board of Selectmen Meeting
Held March 4, 2019

A meeting of the Board of Selectmen of the Town of Newtown was held in the Council Chamber at the Newtown Municipal Center on March 4, 2019, at 7:30 PM.

* * *

Members present and absent were as follows:

Present

Daniel C. Rosenthal
Maureen Crick Owen
Jeff Capeci

Absent

* * *

Selectman Crick Owen introduced and read the following resolution:

RESOLVED: That the resolution entitled "Resolution Providing For A Special Appropriation In The Amount Of \$1,000,000 For The Planning, Design, Engineering, Reconstruction And Construction Of Town Roads As Authorized In The Capital Improvement Plan (2019-20 To 2023-24) And Authorizing The Issuance Of \$1,000,000 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, said special appropriation having been requested by the First Selectmen in a letter to the Board of Selectman dated March 4, 2019, 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 Capeci. Upon roll call vote the ayes and nays were as follows:

AYES

Daniel C. Rosenthal
Maureen Crick Owen
Jeff Capeci

NAYS

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

* * *

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

REQUESTING DEPARTMENT FIRST SELECTMAN

PROJECT: TOWN ROADS

PROPOSED APPROPRIATION AMOUNT: \$ 1,000,000

PROPOSED FUNDING:

BONDING	\$ 1,000,000
GRANT	\$ -
OTHER	\$ -
	<u>\$ 1,000,000</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 (1st year)		\$ 80,100	
TOTAL IMPACT ON EXPENDITURES		<u>\$ 80,100</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 \$ 80,100

EQUIVALENT MILL RATE OF TOTAL IMPACT

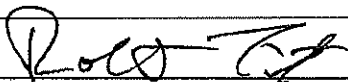
(using current year's information)

0.0260 mills

COMMENTS:

NEW AND IMPROVED ROADS REDUCES TOWN LIABILITY EXPOSURE

PREPARED BY:



DATE: 3/4/2019

TO: BOF, LC